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*Attorneys for Defendant,
Melissa Data Corporation*

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ATLAS DATA PRIVACY CORPORATION,
*as assignee of individuals who are Covered
Persons*, JANE DOE-1, *a law enforcement
officer*, JANE DOE-2, *a law enforcement
officer*, EDWIN MALDONADO, SCOTT
MALONEY, JUSTYNA MALONEY,
PATRICK COLLIGAN, and PETER
ANDREYEV,

Plaintiffs,

vs.

MELISSA DATA CORP, RICHARD ROES
1-10, *fictitious names of unknown individuals*
and ABC COMPANIES 1-10, *fictitious names
of unknown entities*,

Defendants.

CIVIL ACTION

Civil Action No. _____

State Docket No. MRS-L-224-24

**NOTICE OF REMOVAL OF DEFENDANT
MELISSA DATA CORPORATION**

Removed from the Superior Court of New Jersey,
Morris County, Law Division

To: United States District Court - District of New Jersey
Martin Luther King Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

With notice to:

Clerk of the Superior Court of New Jersey
Morris County, Civil Division
10 Court Street, 1st Floor
Morristown, New Jersey

Rajiv D. Parikh
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PEM Law LLP
1 Boland Dr., Suite 101
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Tampa, Florida 33602
Attorneys for Plaintiffs

D.N.J. LOCAL CIVIL RULE 10.1 STATEMENT

1. The Plaintiffs in this action are Atlas Data Privacy Corporation, Jane Doe-1, Jane Doe-2, Edwin Maldonado, Scott Maloney, Justyna Maloney, Patrick Colligan, and Peter Andreyev.

2. The address for Plaintiff Atlas Data Privacy Corporation (“Atlas Data”) is 201 Montgomery Street, Suite 263, Jersey City, New Jersey, 07302.

3. The remaining Plaintiffs’ addresses are unknown to Defendant Melissa Data Corporation (“Melissa Data”), which is filing this Notice of Removal.

4. Plaintiffs are represented by Rajiv D. Parikh, Esq., and Kathleen Barnett Einhorn, Esq., of PEM Law LLP (1 Boland Drive, Suite 101, West Orange, New Jersey, 07052), and John A. Yanchunis, Esq., of Morgan & Morgan (201 N. Franklin St., 7th Floor, Tampa, Florida, 33602).

5. The address for Defendant Melissa Data is 22382 Avenida Empresa, Rancho Santa Margarita, California, 92688.

6. Melissa Data is represented by Michael P. O'Mullan, Esq., and Ryan L. O'Neill, Esq., of Riker Danzig LLP (One Speedwell Avenue, Morristown, New Jersey, 07960).

NOTICE OF REMOVAL

7. **PLEASE TAKE NOTICE** that Defendant Melissa Data, by and through its undersigned counsel, Riker Danzig LLP, hereby removes this action pursuant to 28 U.S.C. § 1441, from the Superior Court of New Jersey, Law Division, Morris County, to the United States District Court for the District of New Jersey. In so doing, Melissa Data relies on the following grounds for removal:

I. PRELIMINARY STATEMENT

8. This is one of 130 actions filed by Atlas Data alongside certain individual Plaintiffs ("Individual Plaintiffs") (collectively, "Plaintiffs") seeking to weaponize a well-intentioned New Jersey statute known as Daniel's Law, N.J.S.A. 47:1A-1, et seq., and N.J.S.A. 56:8-166.1. Despite the spirit and legislative intent of Daniel's law, Atlas Data orchestrated a scheme to inundate Melissa Data and others with, in one evening, a dump of thousands of carefully-timed "take down" requests sourced to one obscure and uniform email domain, (1) to prevent timely compliance with a law rooted in the safety of law enforcement, and (2) to generate a multimillion dollar windfall on the backs of unsuspecting defendants like Melissa Data.

9. Defendant Melissa Data is a family-owned registered data broker incorporated and headquartered in California. The company does not have a New Jersey office. Melissa Data's compliance program is designed to meet privacy concerns and satisfy compliance requests by third parties, and has done so, for years. Atlas Data is also in the business of data, and hardly a stranger to the most efficient means of effectuating suppression of personal data on the internet, quickly. Here, by design, Atlas Data purposely created chaos, sending thousands of individual take-down

requests by email and triggering a ten-day statutory compliance window over the Christmas and New Years holidays—for no good reason. Melissa Data would happily have processed a bulk removal of data via, for example, a single data file providing basic information about the protected individuals.

10. More specifically, on December 21, 2023, Atlas Data flooded Melissa Data with thousands of emails, each spaced just seconds apart. To Melissa Data, the sudden influx from the same email domain appeared to be a cyberattack. Notwithstanding, Melissa Data promptly removed the requested information for the requests that it received and verified as legitimate. It was only after being served with the complaint that Melissa Data first appreciated Plaintiffs’ less-than-subtle approach to exploiting Daniel’s Law for financial gain.

II. THE COMPLAINT

11. On February 6, 2024, Plaintiffs filed a complaint (the “Complaint”) against Melissa Data in the Superior Court of New Jersey, Law Division, Morris County. In the Complaint, Atlas Data purports to be the “assignee” of claims for approximately 18,587 “covered persons” under Daniel’s Law. A true and correct copy of the Complaint is attached hereto as Exhibit A. In making this removal, Melissa Data does not concede any of the allegations in the Complaint.

12. Melissa Data was served with copies of the Summons and the Complaint on February 26, 2024. Under 28 U.S.C. § 1446(a), the (1) Summons; (2) Document Preservation Notice; (3) First Request for the Production of Documents; (4) First Set of Interrogatories; (5) Complaint; (6) Track Assignment Notice; and (7) Case Information Statement constitute all pleadings, process, or orders served upon Melissa Data in this action. Copies of these documents, along with notices of appearance for counsel of record and a stipulation, extending the time in which Melissa Data may file a responsive pleading, are attached as Exhibit B.

13. This Notice of Removal is timely under 28 U.S.C. § 1446(b) because it is being filed within thirty (30) days after service of the Complaint upon Melissa Data.

14. Written notice of the filing of this Notice of Removal will be served upon Plaintiffs' counsel pursuant to 28 U.S.C. § 1446(d).

15. A copy of this Notice of Removal is being served upon counsel for Plaintiffs and is being filed contemporaneously with the Clerk of the Superior Court of New Jersey, Morris County, as required by 28 U.S.C. § 1446(d).

16. Venue is proper under 28 U.S.C. § 1441(a) because the Superior Court of New Jersey, Morris County, is located within the United States District of New Jersey.

17. As demonstrated below, this case is properly removable pursuant to 28 U.S.C. §§ 1332 and 1441(a) because complete diversity of citizenship exists between Plaintiffs and Melissa Data and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

18. Alternatively, this case is also properly removable under the Class Action Fairness Act ("CAFA"), because the amount in controversy exceeds \$5,000,000, as aggregated across all claims, the parties are (at least) minimally diverse, and (3) the putative class consists of at least 100 members and/or the case is a mass action.

III. DIVERSITY JURISDICTION

A. Diversity of Citizenship

19. For purposes of determining diversity, a corporation is a citizen of (1) the state where it is incorporated, and (2) the state where it has its principal place of business. See 28 U.S.C. § 1332(c)(1).

20. Plaintiff Atlas Data is incorporated in Delaware, and its principal place of business is in New Jersey. See Ex. A ¶ 24. Atlas Data is therefore a citizen of New Jersey and Delaware for federal diversity purposes under 28 U.S.C. § 1332(a)(1).

21. For purposes of determining diversity, a natural person is a citizen of the state of their domicile, which is generally defined as “the place where that individual has a true, fixed home and principal establishment, and to which, whenever that person is absent from the jurisdiction, he or she has the intention of returning.” 13E Fed. Prac. & Proc. Juris. § 3612 (3d ed.). Factors to be considered in determining the state of domicile include a presumption that a person’s “current residence is also his domicile,” along with “voter registration and voting practices,” his “place of employment or business,” and “several other aspects of human life and activity.” Id.

22. Plaintiff Jane Doe-1 alleges in the Complaint that she is a “police officer working in Northern New Jersey.” See Ex. A ¶15. As such, Plaintiff Jane Doe-1’s principal residence must be in the State of New Jersey. See N.J.S.A. 52:14-7; N.J.S.A. 40A:14-122.8 (“Every member of a police department and force shall be a resident of the State of New Jersey while serving in such position.”). Therefore, upon information and belief, Jane Doe-1 is a citizen of New Jersey for federal diversity purposes under 28 U.S.C. § 1332(a)(1).

23. Plaintiff Jane Doe-2 alleges that she is “a veteran correctional police officer who lives in Northern New Jersey.” See Ex. A ¶ 16. As such, upon information and belief, Jane Doe-2 is a citizen of New Jersey for federal diversity purposes under 28 U.S.C. § 1332(a)(1).

24. Upon information and belief, Plaintiff Edwin Maldonado is a citizen of New Jersey for federal diversity purposes under 28 U.S.C. § 1332(a)(1). See N.J.S.A. 52:14-7; N.J.S.A. 40A:14-122.8.

25. Upon information and belief, Plaintiffs Scott Maloney and Justyna Maloney are citizens of New Jersey for federal diversity purposes under 28 U.S.C. § 1332(a)(1).

26. Upon information and belief, Plaintiff Patrick Colligan is a citizen of New Jersey for federal diversity purposes under 28 U.S.C. § 1332(a)(1). See N.J.S.A. 52:14-7; N.J.S.A. 40A.

27. Upon information and belief, Plaintiff Peter Andreyev is a citizen of New Jersey for federal diversity purposes under 28 U.S.C. § 1332(a)(1). See N.J.S.A. 52:14-7; N.J.S.A. 40A:14-122.8.

28. Melissa Data is a California corporation with its principal place of business at 22382 Avenida Empresa, Rancho Santa Margarita, California, 92688. Melissa Data is therefore a citizen of California for federal diversity purposes under 28 U.S.C. §1332(a)(1).

29. Defendants Richard Roes 1–10 are identified in the Complaint as “fictitious names of unknown individuals,” while Defendants ABC Corporations 1–10 are identified in the Complaint as “fictitious names of unknown entities.” As such, the citizenship of Richard Roes 1–10 and ABC Corporations 1–10 may be disregarded for the purposes of removal. Abels v. State Farm Fire & Cas. Co., 770 F.2d 26, 37 (3d Cir. 1985) (“In determining whether diversity jurisdiction exists, the citizenship of purely ‘nominal’ parties may be disregarded.”).

30. Because the citizenship of each Plaintiff is diverse from Melissa Data, complete diversity of citizenship exists between the parties in this action.

31. Although Melissa Data, as a citizen of California, is diverse from all presently named plaintiffs, Melissa Data contends that Atlas Data is not a real party in interest. Upon information and belief, the relevant assignees partially assigned their rights to Atlas Data solely for the purpose of improperly destroying diversity jurisdiction, should a Roe- or ABC Company-Defendant later prove to be a citizen of Delaware.

32. Because the assignments to Atlas Data were made “improperly or collusively,” they may be ignored in assessing diversity. Kramer v. Caribbean Mills, Inc., 394 U.S. 823, 825 (1969). Indeed, in some circumstances, courts must look beyond the pleadings to ensure that the litigants do not improperly evade diversity jurisdiction. See Mississippi ex rel. Hood v. AU Optronics Corp., 571 U.S. 161, 174 (2014).

33. To determine whether an assignment was improper or collusive, courts will consider: (1) the relative size of the interest assigned; (2) whether the assignee had any interest in the litigation before the assignment was made; (3) whether the assignor and assignee are controlled by the same person or entity; (4) when the assignment occurred; (5) whether the assignment essentially functions as a contingency fee for collection work; and (6) the likelihood of prejudice against the defendant. See, e.g., NPD Mgmt. & Bldg. Servs., Inc. v. Geismar N. Am., Inc., CV 20-2739, 2021 WL 5231870, at *4 (E.D. La. Nov. 10, 2021) (citing Grassi v. Ciba-Geigy, Ltd., 894 F.2d 181, 186 (5th Cir. 1990)). These factors support ignoring the assignments to Atlas Data.

34. These assignments are, by all accounts, part of a larger strategy designed to monetize Daniel’s Law. Atlas Data is a de facto contingency fee vehicle formed solely to capture statutory damages authorized by Daniel’s Law.

35. First, upon information and belief, Atlas Data did not exist prior to the passage of Daniel’s Law. See Ex. C.

36. Second, upon information and belief, on or about April 11, 2023, Rajiv D. Parikh, attorney for Plaintiffs, registered as a lobbyist for Atlas Data in New Jersey. See Ex. D and E. Shortly thereafter, Daniel’s Law was amended to (1) allow for assignments, such as those made to Atlas Data in this case, and (2) make the previously permissive statutory damages mandatory. Upon information and belief, Atlas Data received these assignments for the purpose of initiating

litigation against companies like Melissa Data. Prior to these assignments, Atlas Data had no interest in the rights now assigned. Indeed, Atlas Data has never had a claim separate and apart from those received by way of assignment. Although the Court need not ignore the assignments to Atlas Data to establish complete diversity, in the event that a Roe- or ABC Company-Defendant is later revealed to be a citizen of Delaware, this Court should do exactly that.

B. Amount in Controversy

37. Plaintiff Atlas Data alleges that it is asserting claims against Melissa Data on behalf of 18,587 individuals who are “covered persons” under Daniel’s Law. Ex. A ¶ 25.

38. The Complaint also contains the allegations of five additional individual Plaintiffs who allege violations under Daniel’s Law, bringing the total number of claims against Melissa Data to 18,592. See Ex. A ¶ 56.

39. Plaintiffs’ Complaint requests “actual damages, not less than liquidated damages under Daniel’s Law, at ‘\$1,000 for each violation.’” Ex. A ¶ 62(B); N.J.S.A. 56:8-166.1(c)(1).

40. Assuming just one violation for each “covered person” or Individual Plaintiff, the amount in controversy would exceed \$18,592,000. As such, it is apparent from the face of the complaint that the amount in controversy is well in excess of \$75,000, exclusive of interest and costs.

41. The amount in controversy meets jurisdictional requirements as evidenced by the express language in paragraphs 25, 55, and 62 of the Complaint wherein Plaintiffs assert that all Covered Persons and Individual Plaintiffs (18,592 individuals) have suffered individual violations under Daniel’s Law and such violations are subject to actual damage awards of “\$1,000 for each violation” See Ex. A. ¶ 62(B); N.J.S.A. 56:8-166.1(c)(1).

42. Plaintiffs' prayer for relief requests not only at least \$18,592,000 in actual damages, but also requests punitive damages, attorneys' fees, interest (pre- and post-judgment), litigation costs, and injunctive relief. See Ex. A. ¶ 62.

IV. The Class Action Fairness Act

43. Even though this Court has diversity jurisdiction, as explained above, removal is also proper under the Class Action Fairness Act ("CAFA").¹ Under CAFA, United States District Courts have jurisdiction over civil actions where: (1) the amount in controversy across all claims exceeds \$5,000,000; (2) the parties are at least minimally diverse; and (3) the putative class consists of at least 100 members. See, e.g., Judon v. Travelers Prop. Cas. Co. of Am., 773 F.3d 495, 500 (3d Cir. 2014) (citing 28 U.S.C. § 1332(d)(2), (5)(B), and (6)). CAFA also requires that the suit be filed under Rule 23 of the Federal Rules of Civil Procedure ("FRCP") or a similar state law. See 28 U.S.C. § 1332(d)(1)(B). This suit meets all such requirements and this Court may exercise jurisdiction under CAFA.

44. The amount in controversy here far exceeds \$5,000,000. The Complaint alleges far more than 5,000 violations of Daniel's Law. The Complaint seeks \$1,000 for each alleged violation. Atlas Data claims to be the assignee of approximately 18,587 individuals. The aggregate amount in controversy is thus *at least* \$18,587,000.

45. The parties here are at least minimally diverse. Although the citizenship of the Doe-Plaintiffs, Roe-Defendants, and ABC Company-Defendants is currently unknown, as explained above, Atlas Data is a citizen of New Jersey and Delaware while Melissa Data is only a citizen of California. Moreover, Plaintiffs Maldonado, Colligan, Andreyev, and the Maloneys are citizens of New Jersey while Melissa Data is only a citizen of California.

¹ Melissa Data does not concede that Plaintiffs have established any element of class certification.

46. The putative class here exceeds 100 members. Partial assignees can be counted as class members in assessing numerosity. See In re Modafinil Antitrust Litigation, 837 F.3d 238, 251-52 (3d Cir. 2016)). Here, Atlas Data claims to be the assignee of claims for 18,587 individuals.

47. This case also satisfies the requirement that the suit be filed under FRCP 23 or a state law analogue. Although Plaintiffs do not invoke FRCP 23 (or a state law analogue) by name, CAFA does not require them to be so explicit. See, e.g., Williams v. Employers Mutual Casualty Company, 845 F.3d 891, 901 (8th Cir. 2017). Indeed, even if a complaint does not facially satisfy CAFA’s jurisdictional requirements, courts “must cut through any pleading artifice to identify whether the case is in substance an interstate class action.” Erie Insurance Exchange v. Erie Indemnity Company, 68 F.4th 815, 819 (3d Cir. 2023). Here, Atlas Data brings suit—and can only bring suit—in its capacity as alleged assignee for 18,587 individuals. It alleges commonality of facts and law among the claims and does not contend that joinder is impracticable or impossible.

48. This case thus presents a CAFA class action and this Court may exercise jurisdiction.

49. Alternatively, this case presents a CAFA “mass action.” CAFA confers federal jurisdiction for “mass actions” when: (1) the action has (a) minimal diversity and (b) at least \$5,000,000 in controversy; (2) numerosity for a mass action; and (3) satisfies the \$75,000 individual amount-in-controversy requirement. As discussed above, all such requirements are met here.

50. None of the exceptions to CAFA apply. CAFA provides for two mandatory exceptions and one discretionary exception to federal jurisdiction over class actions. See 28 U.S.C. § 1332(d)(3)-(4). None of these exceptions apply here because each requires an in-state defendant

and Melissa Data is a citizen of California. Moreover, none of the exceptions to “mass action” jurisdiction apply here. See generally 28 U.S.C. § 1332(d)(11)(B)(ii).

WHEREFORE, Melissa Data respectfully requests that the state court action be removed from the Superior Court of New Jersey, Morris County to the United States District Court for the District of New Jersey.

Dated: March 27, 2024

RIKER DANZIG LLP

/s/ Michael P. O'Mullan
Michael P. O'Mullan

/s/ Ryan L. O'Neill
Ryan L. O'Neill

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Exhibit A

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Attorneys for Plaintiffs Atlas Data Privacy Corporation, Jane Doe-1, a law enforcement officer, Jane Doe-2, a law enforcement officer, Edwin Maldonado, Scott Maloney, Justyna Maloney, Patrick Colligan, and Peter Andreyev

ATLAS DATA PRIVACY CORPORATION,
as assignee of individuals who are Covered Persons, JANE DOE-1, a law enforcement officer, JANE DOE-2, a law enforcement officer, EDWIN MALDONADO, SCOTT MALONEY, JUSTYNA MALONEY, PATRICK COLLIGAN, and PETER ANDREYEV,

Plaintiffs,

v.

MELISSA DATA CORP, RICHARD ROES
1-10, fictitious names of unknown individuals
and ABC COMPANIES 1-10, *fictitious names of unknown entities,*

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, MORRIS COUNTY
DOCKET NO.: MRS-L-_____-24

CIVIL ACTION

COMPLAINT

Plaintiffs Atlas Data Privacy Corporation (“Atlas”) as the assignee of individuals who are Covered Persons under Daniel’s Law along with Jane Doe-1 (a law enforcement officer), Jane Doe-2 (a law enforcement officer), Edwin Maldonado, Scott Maloney, Justyna Maloney, Patrick

Colligan, and Peter Andreyev (collectively, “Plaintiffs”), by and through their undersigned counsel, hereby submit this Complaint against Defendants and state as follows:

INTRODUCTION

1. In these tumultuous times, it is critical that the most sensitive personal information of those who serve the public be protected from unwarranted disclosure. As set forth below, Daniel’s Law was passed unanimously by our Legislature to provide judges, law enforcement officers, and prosecutors – and their families – with the right to prevent the disclosure of their home addresses and unpublished home telephone numbers, and to enforce those rights against uncooperative profit-seeking data brokers.

2. This complaint seeks to protect those important rights, against companies brokering data and choosing profit and personal gain over a critical public interest and the unequivocal mandate of the law. Companies in the business of disclosing this protected information have avoided accountability for far too long, proffering such information, including home addresses and unpublished home telephone numbers, without sufficient regard for the risks and consequences imposed upon individuals who serve critical judicial and law enforcement roles.

3. The Legislature and Governor unanimously agree that the basic safety of those who serve – and their families – must be assured. Here, not only do the data brokers wantonly and repeatedly disregard the law, but they also demonstrate a callousness towards the well-being of those who serve. Our judges, law enforcement officers and prosecutors should receive the full measure of protection afforded to them under the same laws they enforce for the safety of all citizens.

4. With this action, Plaintiffs seek to enforce the important rights granted to judges, law enforcement officers, and prosecutors under Daniel’s Law. Consistent with the statutory provisions, Atlas brings this action as an assignee for certain individuals, including many family

members of law enforcement officers and prosecutors. Plaintiffs seek all available injunctive relief and statutory damages, including to prevent any further disclosure by Defendants of information in violation of Daniel's Law.

BACKGROUND

Passage of Daniel's Law in New Jersey

5. In July 2020, Daniel Anderl, the son of a New Jersey federal Judge, was shot dead by a gunman posing as a FedEx delivery man at the front door of the family's New Jersey home. Daniel, who was just age 20 and a rising junior in college, and who aspired to practice law like his parents, took a bullet to his chest trying to protect his parents. By the time his mother, a Judge, came to the door to check on what happened, the killer was gone. But her husband was critically wounded, and Daniel tragically died from the gunshot.

6. During the investigation, the perpetrator was found to have certain political and personal grievances against the Judge, and went to their home that day intending to kill her. Instead, he murdered the Judge's son and almost succeeded in killing her husband as well. Investigators eventually connected this attack with another shooting of an attorney in California, who was similarly mortally gunned down answering the door to his residence to pick up a supposed package from the same disguised gunman. Authorities concluded that the shooter was disgruntled over certain legal cases with similar political and legal issues to what was pending before Daniel's mother.

7. Critically, the gunman was able to find the home addresses of both of his murder victims through the various people finder resources available on the internet,¹ the same kind of data broker services at issue in this case.

¹ <https://www.cbsnews.com/news/esther-salas-son-murder-roy-den-hollander-48-hours/>.

New Jersey Passes Daniel's Law in 2020

8. In response to the shooting of Daniel, New Jersey enacted Daniel's Law within a few months, in November 2020 (P.L. 2020, c. 125 *codified in* N.J.S.A. 47:1A-1, et seq. and N.J.S.A. 56:8-166.1), which prohibits online data brokers from selling, publishing, and distributing the name and address of current and former judges, law enforcement officers, and prosecutors and their eligible family members (i.e., "covered persons"), upon any written request by the covered person. Law enforcement personnel are expressly covered by the statute, in full recognition that the public service they provide is no less dangerous or important than those of Judges and prosecutors.

9. Any such covered person may request that a data broker not "disclose or re-disclose on the Internet or otherwise make available" their home addresses or unpublished home telephone numbers. Disclosure is defined to mean to "solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise, or offer, and shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed." Data brokers must cease disclosure of this protected information within 10 business days of receiving a nondisclosure request from a covered person.

Congress Passes Daniel Anderl Judicial Security and Privacy Act in 2022

10. Similar to the actions taken by the State of New Jersey, federal judges such as U.S. Supreme Court Chief Justice John G. Roberts Jr. proposed and supported a federal version of Daniel's Law. The Chief Justice was quoted stating, "[t]he law requires every judge to swear an

oath to perform his or her work without fear or favor, but we must support judges by ensuring their safety ... [a] judicial system cannot and should not live in fear.”²

11. The federal bill, which had broad bipartisan support in both the House and Senate, protected judges’ personally identifiable information from resale by data brokers. It allowed federal judges to redact their personal information displayed on federal government internet sites.

12. The U.S. Senate voted 83-11 to pass the annual defense authorization bill, with the Daniel Anderl Judicial Security and Privacy Act attached,³ and it was signed by President Biden.⁴

Violence Against Police Officers and Judges Has Not Stopped

13. Judges, law enforcement officers, and prosecutors put their lives on the line every day, which is clearly exhibited by numerous horrific stories of violence beyond the story of the murder of Daniel Anderl. For example, in 2020, three shooters openly fired upon the Camden home of two New Jersey police officers and their 10-day old infant. That the officers were constantly involved in the community doing good afforded them no safety from the perpetrators.⁵

14. More recently, another perpetrator hunted and killed in cold blood a Maryland Judge, after a child custody ruling.⁶ The killing followed that of a Wisconsin Judge in 2022, where the perpetrator killed the retired Judge out of spite for his handling of a criminal case in 2005.⁷

² <https://www.washingtonpost.com/politics/2022/12/31/supreme-court-roberts-leak-report/>.

³ <https://www.uscourts.gov/news/2022/12/16/congress-passes-daniel-anderl-judicial-security-and-privacy-act>.

⁴ <https://www.nj.com/politics/2022/12/biden-signs-defense-policy-bill-that-remembers-3-new-jerseyans.html>.

⁵ [Shooters Open Fire On Home Of New Jersey Police Officers In ‘Targeted Attack,’ Chief Says \(forbes.com\)](https://forbes.com).

⁶ [Judge Andrew Wilkinson: Suspect still on the run after killing a judge at his home in a 'targeted attack' following a child custody ruling, sheriff says | CNN](https://www.cnn.com/2023/01/18/us/maryland-judge-killing/index.html).

⁷ [Former Judge John Roemer was killed in his Wisconsin home in a targeted attack, officials say | CNN](https://www.cnn.com/2022/12/28/us/wisconsin-judge-killing/index.html).

THE PARTIES

The Individual Plaintiffs

15. Plaintiff JANE DOE-1, whose name has been anonymized for safety reasons, is a decorated veteran police officer working in Northern New Jersey. Between 2021 and 2022, Officer Doe-1 participated in a task force that targeted a major criminal organization operating in the state. Her efforts ultimately led to the arrest and prosecution of a member of the organization's leadership, an individual with an extensive criminal history including threats of violence. In the subsequent investigation, digital devices recovered from the organization's leadership were analyzed and photographs of Officer Doe-1's personal residence were identified. Officer Doe-1 lives in the home with her spouse and their young child. Evidence recovered in the investigation included night-time photography of the young child's bedroom and playroom windows, with the light on while the child was playing inside. Further investigation revealed that the criminal organization's leadership had hired a private investigator who searched online data broker websites to obtain the officer's home address. Having identified her home address, text messages confirmed that they had initiated surveillance and were tracking Officer Doe-1's movements to and from her home, immediately prior to the task force initiating arrests.

16. Plaintiff JANE DOE-2, whose name has been anonymized for safety reasons, is a veteran correctional police officer who lives in Northern New Jersey with her husband and two young children. Earlier in her career, Officer Doe-2 was the subject of a death threat from a hostile inmate. The inmate stated that they intended to kill Officer Doe-2, and further implied that they would rely upon a particular private investigator to track down Officer Doe-2's home address to facilitate the murder. This death threat was investigated and considered credible enough to result in a successful criminal prosecution. Part of Officer Doe-2's current duties include working in her

correctional facility's law library, where inmates have access to the Internet including online data broker websites and services. Recently Officer Doe-2 and her coworkers discovered a note left behind by an inmate which included the full name and home address of a young female member of the jail's administrative staff. The most effective ways to safeguard the security and privacy of their home addresses - for their own safety and that of their family members - is a frequent topic of discussion and concern among the correctional police officers working at Officer Doe-2's facility.

17. Plaintiff Officer EDWIN MALDONADO joined the Plainfield, New Jersey police department as a patrol officer in 2000. After a few months on the job, he was assigned to street crimes, where he excelled at field work. In 2005, he became a Detective with Plainfield's major crimes unit and joined a Federal task force targeting the Mara Salvatrucha-13 (MS-13) gang in New Jersey. He worked with the task force for the next two years. During that time period, he received multiple credible death threats from MS-13 members. Detective Maldonado did not believe he would be able to safeguard his home address while living in Plainfield and relocated his family to a remote location from which he commuted to work. In 2009, because his relocation effort had been successful and MS-13 could not locate his new home address, gang members targeted Detective Maldonado's mother instead. They intended to burn down her building with her inside, but set fire to an adjacent building by mistake. Phone calls between MS-13 members discussing the premeditated murder of Detective Maldonado and his family, and the premeditated murder of Detective Maldonado's mother, were intercepted by jail wiretaps. Later in multiple criminal trials, evidence was entered into the record regarding these intercepted conversations and premeditated murders, contributing to numerous successful prosecutions.

18. Plaintiffs Sergeant SCOTT MALONEY (“Sergeant Maloney”) and Officer JUSTYNA MALONEY (“Officer Maloney”) are husband and wife, both veteran police officers currently serving with the Rahway, New Jersey Police Department. They live together in New Jersey with their two young children. In April of 2023, Officer Maloney responded to a routine call of a suspicious individual outside the Motor Vehicle Commission in Rahway. The individual was an online content creator who often solicits police contact and then films himself debating constitutional rights with the responding officers. A subset of the content creator’s audience is vocally anti-police and videos posted to his social media channel have historically been the source of harassment and intimidation campaigns directed at the officers involved. In this case, Officer Maloney and several other responding officers were filmed discussing a number of legal issues with the content creator, including whether or not the content creator was required to take his hands out of his pockets to show that he was unarmed. Overall, the encounter was routine and ended uneventfully.

19. The resulting video footage was selectively edited and posted to YouTube. Almost immediately upon the video being posted, Officer Maloney was targeted by followers of the channel and other individuals who viewed the video. Sergeant Maloney was quickly identified by viewers as Officer Maloney’s husband, and became a target himself, due to their relationship as a married couple and his own status as a police officer. Web links to data broker websites publicly disclosing the Maloney family’s home address and unpublished home telephone numbers were posted along with explicit death threats and calls for violence, resulting in dozens of threatening phone calls and text messages.

20. One of the text messages sent to Sergeant Maloney demanded money and stated that if Sergeant Maloney did not comply then his family would “pay in blood.” The unknown

messenger went on to state that they knew where the Maloneys lived and sent the full name and home address of one of the Maloneys' nearby relatives as proof of the messenger's ability to gather sensitive personal information. Sergeant Maloney refused to comply with any demands. He then received a video of three individuals in ski masks armed with handguns and assault rifles repeating the extortion demand. In part of the video, a masked individual points a rifle at the camera and tells Sergeant Maloney that his family is "going to get [their] heads cut off."

21. Several weeks later, one of the Maloneys' neighbors observed two suspicious looking individuals in ski masks parked one block away from the home and alerted police. Responding officers arrested two men - who were armed - for unlawful possession of a firearm. Video surveillance captured by nearby houses shows the two men circling the Maloneys' house immediately prior to their arrest. Officer Maloney and her two young children were at home at the time.

22. Plaintiff Detective PATRICK COLLIGAN is a 32-year veteran of the Franklin Township police department in Somerset, New Jersey. Since 2014, Detective Colligan has served as the President of the New Jersey State Policemen's Benevolent Association, representing more than 33,000 active law enforcement officers throughout the state. During the course of his law enforcement career, he has received numerous threats of violence targeted at him and his family as a result of his public service. The seriousness of certain threats necessitated the installation of a surveillance camera system and alarm system, and training for his spouse and children about how to respond in the event of an attack on their home.

23. Plaintiff Officer PETER ANDREYEV is a 32-year veteran of the Point Pleasant, New Jersey police department. Officer Andreyev currently services as the Executive Vice President of the New Jersey State Policemen's Benevolent Association, representing more than

33,000 active law enforcement officers throughout the state. During the course of his law enforcement career, he has received numerous threats of violence targeted at him and his family as a result of his public service. Officer Andreyev has counseled many other officers who have been the target of violent threats on ways to protect themselves and their family members from harm. whose protected information has been discovered and has responded to specific incidents where protected information was used by ex-inmates to threaten, harass, or intimidate fellow officers.

Plaintiff Atlas and its Assignors

24. Plaintiff ATLAS DATA PRIVACY CORPORATION is a Delaware corporation, with offices at 201 Montgomery Street, Suite 263, Jersey City, New Jersey 07302.

25. As permitted under Daniel's Law, Atlas asserts claims against Defendants as the assignee of the claims of approximately 18,587 individuals who are all "covered persons" under Daniel's Law (together, the "Covered Persons"), including a significant number of individuals who are family members of judges, law enforcement officers, and prosecutors.

26. The Covered Persons include individuals who reside, work or had previously resided or worked in New Jersey, and qualify as "covered persons" as that term is defined under Daniel's Law, each of whom have claims against Defendants for failing to comply with Daniel's Law.

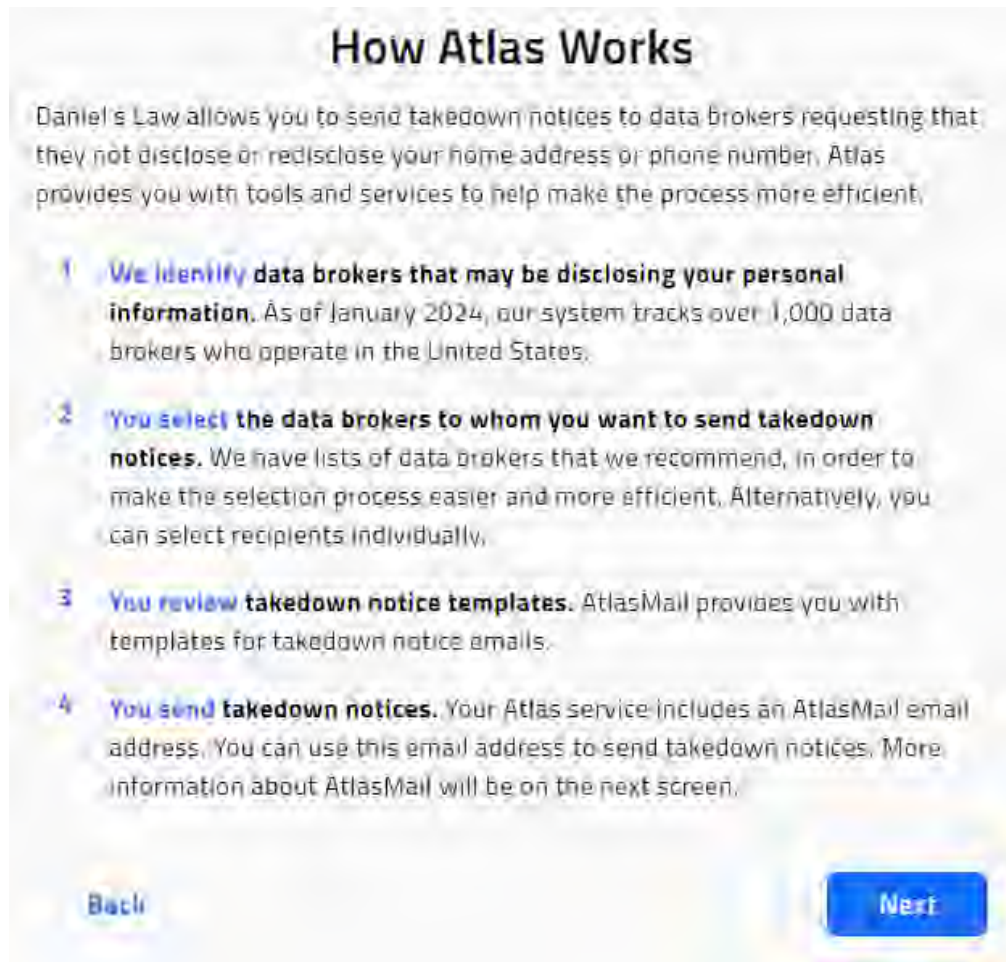
27. As set forth in more detail below, the Covered Persons (as well as the Individual Plaintiffs) each exercised their rights under Daniel's Law by sending Defendants a written notice requesting that Defendants cease disclosing or re-disclosing on the Internet or otherwise making available their protected information on one or more of Defendants' websites or through other methods of disclosure.

28. Defendants have not complied with the law by ceasing the disclosure or re-disclosure on the Internet or the otherwise making available of protected information as required under Daniel's Law for each of the Covered Persons (as well as each of the Individual Plaintiffs) as required by the law.

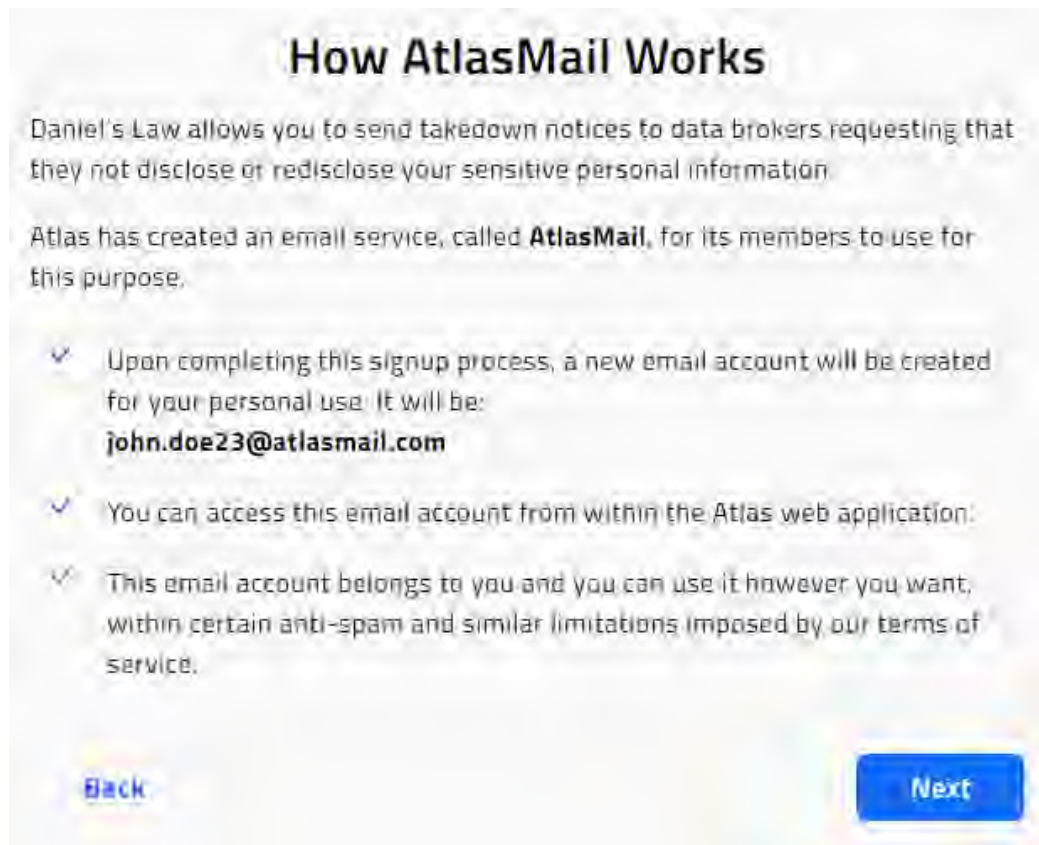
29. In accordance with Daniel's Law, each of the Covered Persons has assigned their rights for claims thereunder against Defendants to Atlas.

30. Atlas provides an online platform, including an email service named AtlasMail, to law enforcement officers, prosecutors, judges, and other covered persons. Atlas works with and provides access to its platform to members of the New Jersey State Policemen's Benevolent Association, the Metropolitan Transportation Authority Police Benevolent Association, New Jersey PBA Local 105, and the New Jersey State Troopers Fraternal Association, among others. The goal of these unions and associations, since the first passage of Daniel's Law in November 2020, was to increase the safety and well-being of their members and associated households by helping those members to understand and assert the rights provided to them by the law.

31. Upon signing up for Atlas, a law enforcement officer or other Covered Person is asked a series of questions to collect required personal information and qualify their eligibility as a covered person under Daniel's Law. Once eligibility is confirmed, they are shown a page explaining how the Atlas platform works:



32. AtlasMail is an email service operated by Atlas. Upon signing up with Atlas, each law enforcement officer or other Covered Person receives their own AtlasMail account, with a unique inbox address (e.g. john.doe23@atlasmail.com) for their personal use. A description of AtlasMail and more information about how the email service works are provided on a page during the signup process:



33. Having provided personal information, confirmed their eligibility for Daniel's Law, and progressed through several pages explaining the functions of Atlas as a platform and AtlasMail as an email service, the law enforcement officer or other Covered Person is then presented with a page on which they can review their home addresses and unpublished home telephone numbers, a takedown notice template, and a recommended list of data brokers to send notices to. On this page the law enforcement officer or other Covered Person can choose whether or not to send takedown notices. If they choose not to send takedown notices to the recommended list, they can select individual recipients at a later page (as shown in the example copied below). Here, each of the Individual Plaintiffs and Covered Persons sent Defendants a takedown notice.

Data Brokers Included

Select All

PEO	People Data Labs (peopledatalabs.com)	<input type="checkbox"/>
PEO	People Finder Free (peoplefinderfree.com)	<input checked="" type="checkbox"/>
PEO	People Finders (peoplefinders.com)	<input checked="" type="checkbox"/>
PEO	People Looker (peoplelooker.com)	<input checked="" type="checkbox"/>
PEO	People Search (peoplesearch.com)	<input checked="" type="checkbox"/>
PEO	People.ai (people.ai)	<input type="checkbox"/>
PEO	Peoplebackgroundcheck (people-background-check.com)	<input checked="" type="checkbox"/>

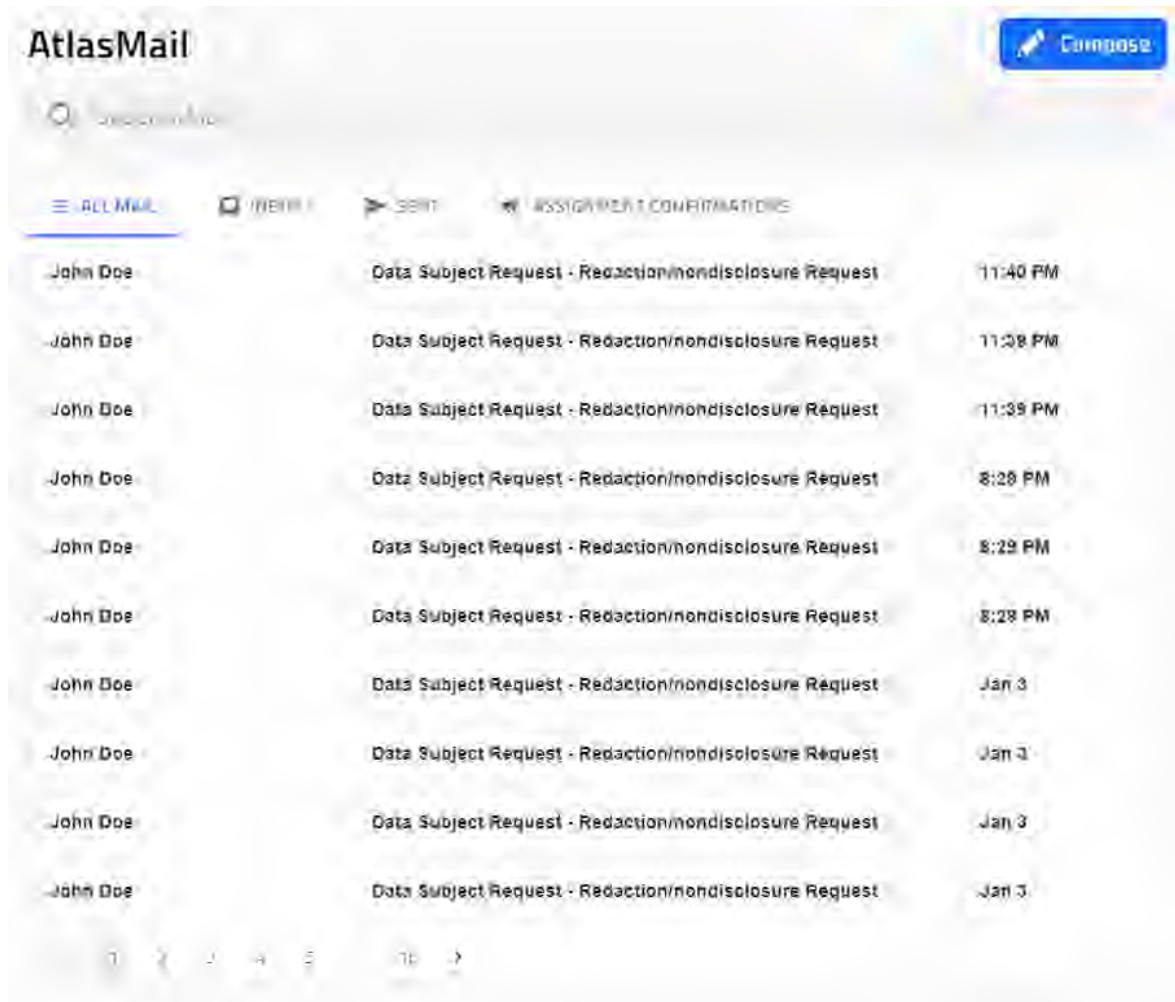
Cancel

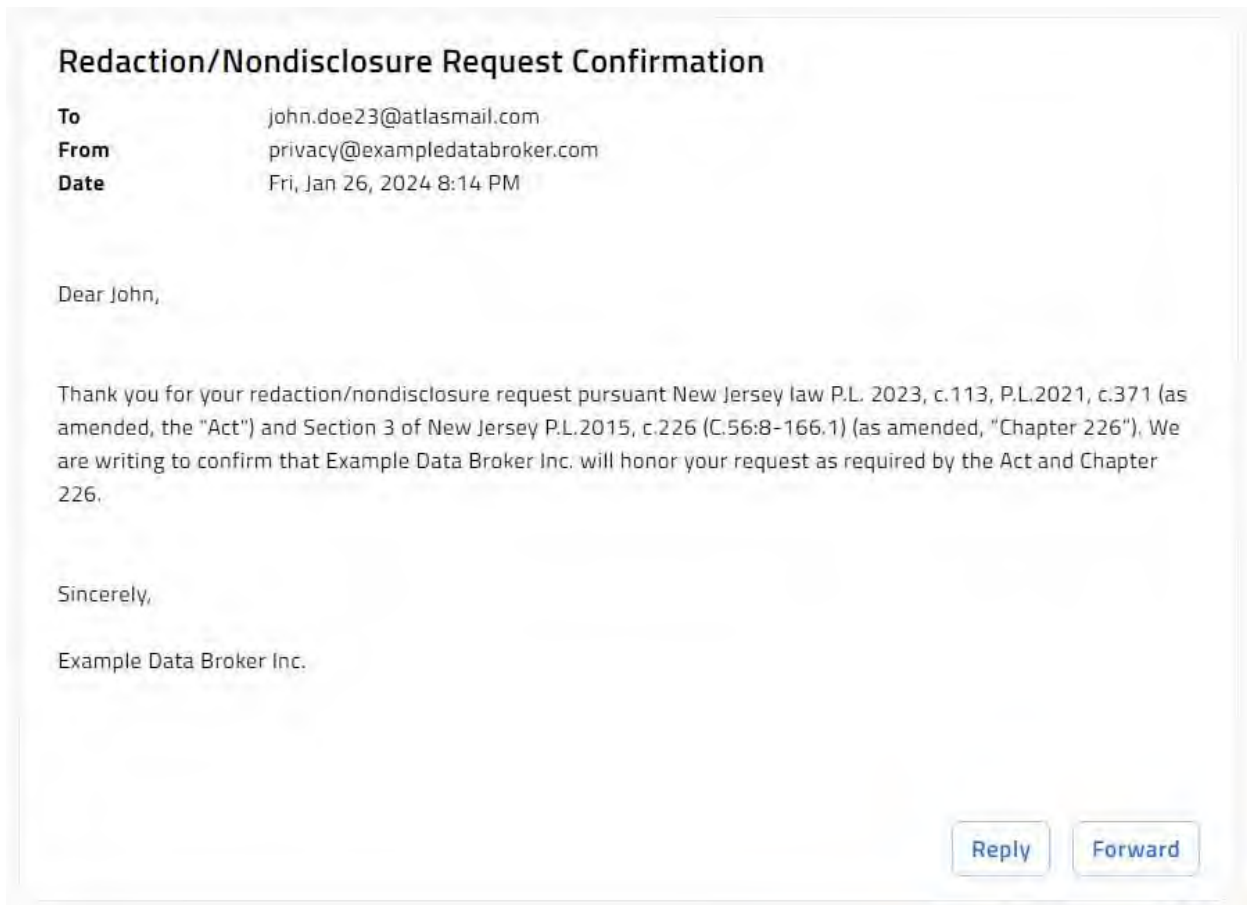
Save

By selecting the personal information and data brokers above and clicking "Send Takedowns" below, you will be sending a large volume of takedown notices from your AtlasMail email address john.doe23@atlasmail.com

Send Takedowns

34. Any reply or response back from a data broker to the law enforcement officer or other Covered Person is received and displayed in their AtlasMail inbox. AtlasMail is a fully featured email service provider, and its users can reply, forward, or use their AtlasMail account as they would any other email account:





35. With this lawsuit, Atlas seeks to enforce compliance with Daniel's Law for those Covered Persons. This lawsuit seeks to protect their privacy without unnecessarily putting those individuals in the spotlight. Atlas will work with the Court and Defendants to implement a protective order to then provide Defendants with the assignments and other information for each of the Covered Persons.

Defendants

36. Defendant Melissa Data Corp is an entity that discloses or re-discloses on the Internet or otherwise makes available the home addresses and/or unpublished home telephone numbers of covered persons.

37. Defendants Richard Roes 1-10 and ABC Companies 1-10 (collectively with the defendants identified above referred to as the “Defendants”) are fictitious names of currently unknown individuals/entities that were also involved with the violations described in this Complaint who have not yet been identified in part due to what appears to be intentional efforts by data brokers to conceal the specific entities involved and responsible for the disclosure of data and information, and individuals responsible for Defendants failures to comply with the law.

38. Defendants offer and engage in the disclosure of data and information through one or more websites or applications, or otherwise in New Jersey, and to businesses and individuals who operate or reside in New Jersey. Those websites include:

melissa.com

39. In accordance with Defendants’ business model, visitors, users, or customers may obtain a name and home address and/or a name and unpublished home telephone number (including the name and address and/or unpublished home telephone number of the Individual Plaintiffs and Covered Persons). The following is a redacted example of the detailed information provided by Defendants,⁸ in violation of Daniel’s Law:

⁸ Consistent with the mandate of Daniel’s Law and the public policy considerations underpinning Rule 1:38-7, personal information in the search results has been redacted from the exemplar screenshots included herein.

https://lookups.melissa.com/home/personator/?fullName=&addressLine1=&postalCode=&melissaAddressKey=&phoneNumber=&emailAddress=&freeForm= January 16, 2024 at 7:45 PM EST

Enterprise Direct Marketing Developer Lookups Hello [Redacted] My Account

melissa
LOOKUPS 1-800-MELISSA

Personator History Dark Mode

Enter a Name, Address, Phone or Email

Name

Address

City

State

ZIP Code

MAK

Phone

Email

Free Form

Submit Clear

4 Credits per Lookup (Credit Balance 9,644)

Identity Validation

Validate the identity of a U.S. or Canadian individual with limited input data. Use any single or combination input of name, address, phone number, email address, ZIP Code or Melissa Address Key (MAK) and we will match it against our records to verify the identity and find more contact information.

How to Validate Identity

- Enter a name and choose the best match to find the related address, phone, email, and demographic information.
- Enter an email, phone or address to find the related name and additional details.
- Use the Free Form input to copy and paste any combination of name, address, phone or email.
- Developers Guide to Personator.

Listware Online - Clean, correct and enhance lists with up to 1 million records

Download the Free **Melissa Lookups App** now! [Learn More >](#)

GET IT ON Google Play Download on the App Store

Name & Address Verified

Suggest an Edit

Climate Contributors Home Sales Nonprofits Street Detail Crime Map

Name at Address	<input type="text"/>	✓ Name & Address Match (VR01)
MIK (Melissa Identity Key)	<input type="text"/>	
Birth Month-Year	<input type="text"/> Age: <input type="text"/>	
Address	<input type="text"/>	✓ Address Verified (AS01)
Property Information	Owner <input type="text"/>	
Email	<input type="text"/>	✓ Email Appended (DA40)
Phone	<input type="text"/>	✓ Phone Appended (DA30)
MAK (Melissa Address Key)	<input type="text"/> Personator Search by MAK:	
Lat. & Long.	<input type="text"/>	✓ Geocoded to Rooftop Level (GS05)
Address Type	<input type="text"/>	
Postal Carrier Route	<input type="text"/> Map	

U.S. Representative Map

Census Entities

County Map

County Subdivision Map

Tract Map

Block Map Block Parcels Map

City, Place or Town Map

Unified School District Map

State Upper District Map

State Lower District Map

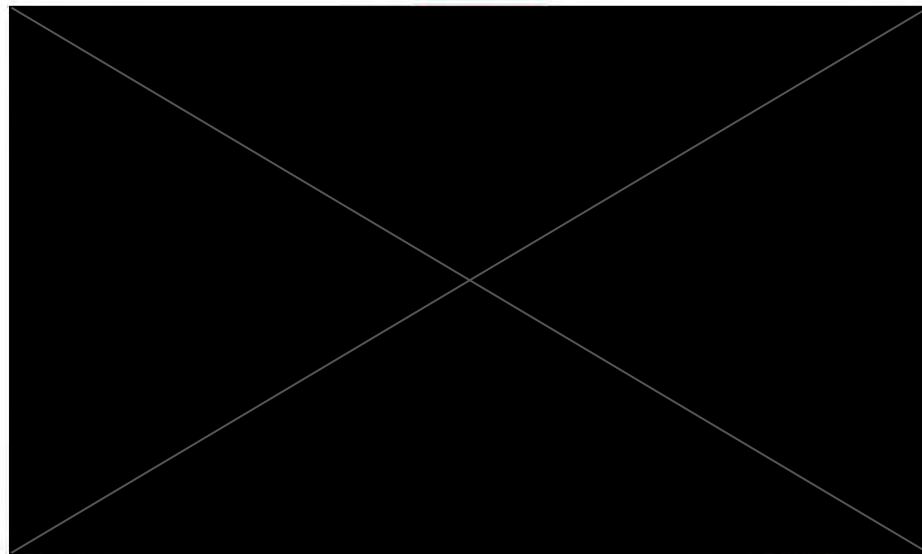
Delivery Post Office Map

Last Name Ethnicity Whites Black Hispanic Asian

Census Last Name Rank

Easily obtain data with JSON or XML formats and Print (4 credits for each request)

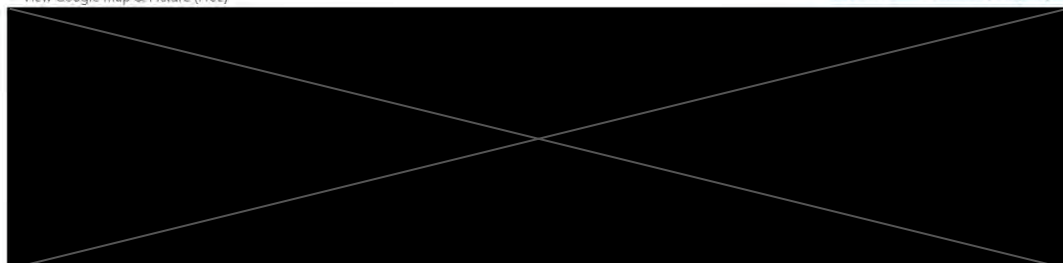
Get 140+ result fields of Personator:

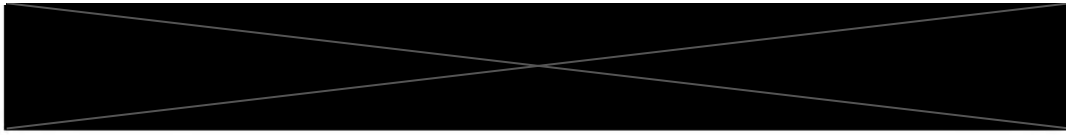


[View Google Map & Picture \(Free\)](#)

[Hide Markers](#)

[Download \(Print\) Map](#)





Recommended Products Related to this Lookup



Personator Consumer

Verify consumer identity and add missing demographics to records.

[Free Trial](#)



Personator Search

With just a name, get the address, email, DOB for anyone. Great for skip tracing!

[Free Trial](#)



SaaS Data Cleansing

Upload your list to Listware for address, email and phone cleaning, verification & more.

[Try Free](#)

Total Addresses Verified: 173,641,241,184

[Credit Balance](#)  [Credit Costs & Pricing](#) [Privacy](#) [Newsletter](#) [Product News](#) [Terms of Use](#) [Result Codes](#) [For Developers](#) [Disclaimer](#)

[Suggest an improvement for a chance at 10,000 free credits. How can we improve?](#)



40. Daniel's Law was passed to protect those who serve from the disclosure of this protected information by such services, which disclose such information of the Individual Plaintiffs and Covered Persons for their own commercial interests, without sufficient regard to the risks and consequences imposed on individuals.

JURISDICTION AND VENUE

41. This Court has jurisdiction because the parties reside and/or conduct business in New Jersey, along with the Covered Persons, and the unlawful actions complained of herein occurred in New Jersey.

42. Venue is proper pursuant to R. 4:3-2, in that Morris County is the county in which one or more of the parties and/or Covered Persons reside and/or conduct business. In addition, many of the events giving rise to this action occurred in this County.

FACTS COMMON TO ALL COUNTS

43. As set forth above, New Jersey enacted Daniel's Law in November 2020 (P.L. 2020, c. 125 *codified as* N.J.S.A. 47:1A-1, et seq. and N.J.S.A. 56:8-166.1).

44. Daniel's Law prohibits data brokers from disclosing or re-disclosing on the Internet or otherwise making available the home addresses or unpublished home telephone numbers of covered persons as defined in the law, upon a written request by those individuals.

45. Upon notification, and no later than 10 business days after receipt, a data broker must not disclose or re-disclose on the Internet or otherwise make available the home addresses or unpublished home telephone numbers of the covered person.

46. This includes a mandate that within 10 business days of receiving a nondisclosure request, the data broker shall not disclose the protected information of the covered person. Disclosure is defined to mean to "solicit, sell, manufacture, give, provide, lend, trade, mail, deliver,

transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise, or offer, and shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed.”

47. Daniel’s Law was amended in 2023, as P.L. 2023, c. 113. The amendment was passed unanimously by the Assembly on May 25, 2023, by the Senate on June 20, 2023, and was thereafter signed by the Governor on July 20, 2023.

48. Certain provisions of the amended law, including changes to N.J.S.A. 56:8-166.1, went into effect immediately.

49. As of July 20, 2023, Daniel’s Law as codified in N.J.S.A. 56:8-166.1 provided:⁹

3.a. (1) Upon notification pursuant to paragraph (2) of this subsection, and not later than 10 business days following receipt thereof, a person, business, or association shall not disclose or redisclose on the Internet or otherwise make available, the home address or unpublished home telephone number of any covered person, as defined in subsection d. of this section.

b. A person, business, or association that violates subsection a. of this section shall be liable to the covered person, or the covered person’s assignee, who may bring a civil action in the Superior Court.

c. The court shall award:

(1) actual damages, but not less than liquidated damages computed at the rate of \$1,000 for each violation of this act;

(2) punitive damages upon proof of willful or reckless disregard of the law;

(3) reasonable attorney’s fees and other litigation costs reasonably incurred; and

(4) any other preliminary and equitable relief as the court determines to be appropriate.

d. For the purposes of this section:

...“Disclose” shall mean to solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise or offer, and shall include

⁹ <https://pub.njleg.state.nj.us/Bills/2022/PL23/113 .PDF>

making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed.”

50. Starting on or about December 21, 2023, each of the Individual Plaintiffs and all of the Covered Persons (who assigned claims to Atlas) sent Defendants written nondisclosure requests (via email) in accordance with Daniel’s Law, using AtlasMail.

51. For example, a true and correct copy of the email directly from Plaintiff Andreyev (with personal information redacted) is pasted here:

Data Subject Request - Redaction/nondisclosure Request

To consumerrequest@melissa.com
From Peter Andreyev <[REDACTED]@atlasmail.com>
Date Thu, Dec 21, 2023 10:50 AM

Melissa Data
December 21, 2023

To Whom It May Concern:

I am a "Covered Person" as defined by New Jersey law P.L. 2023, c.113, P.L.2021, c.371 (as amended, the "Act"). Pursuant to the Act and Section 3 of New Jersey P.L.2015, c.226 (C.56:8-166.1) (as amended), I hereby request that you not disclose or re-disclose on the Internet or otherwise make available, the following protected information:

Name: Peter Andreyev

Phone: [REDACTED]

Sincerely,
Peter Andreyev

52. Defendants failed to cease the disclosure or re-disclosure on the Internet or the otherwise making available of the protected information of the Individuals Plaintiffs and Covered Persons within the time period required by Daniel’s Law.

53. Even as of the date of this filing, Defendants still refuse to comply with Daniel’s Law. Protected information of the Individual Plaintiffs and those Covered Persons who assigned

Atlas their Daniel's Law claims against Defendants remains available from Defendants using Defendants' search tools or other means of disclosure.

54. All of the Covered Persons who sent their nondisclosure requests to Defendants (not including the Individual Plaintiffs) have assigned their claims against Defendants to Atlas.

55. The Individual Plaintiffs and Atlas hereby assert claims against Defendants based on their violation of Daniel's Law and continuing refusal to comply with that law.

COUNT ONE

(Daniel's Law)

56. The allegations of the Complaint set forth above are included herein as if set forth at length.

57. The Individual Plaintiffs and Covered Persons transmitted notice in writing to Defendants requesting that Defendants cease disclosure of their home address and/or unpublished home telephone number and cease its disclosure or re-disclosure on the Internet or wherever Defendants otherwise made it available.

58. Defendants had an obligation under Daniel's Law to comply with the request within ten (10) business days.

59. As of the date of this filing, Defendants still refuse to comply with Daniel's Law. The protected information (including home addresses and/or unpublished home telephone numbers) of the Individual Plaintiffs and the Covered Persons remains "available or viewable within a searchable list or database" or otherwise made available.

60. Defendants did not cease the disclosure or re-disclosure on the Internet or the otherwise making available of information as required under Daniel's Law, and their failure in doing so each constitute a separate violation under the law.

61. As a result of Defendants' failures to comply with Daniel's Law, Plaintiffs have suffered damages, and request all available relief.

62. As of the date of this filing, Defendants still refuse to comply with Daniel's Law. The protected information of the Individual Plaintiffs and the Covered Persons remains disclosed or otherwise made available despite proper requests for nondisclosure in violation of Daniel's Law. As such, Plaintiffs request that the Court enter all appropriate legal and equitable relief.

WHEREFORE, Plaintiffs request that Judgment be entered against Defendants as follows:

- A. Ordering that Defendants immediately comply with Daniel's Law, and cease the disclosure of the Individuals Plaintiffs' and the Covered Persons' names, home addresses, and unpublished home telephone numbers wherever disclosed or re-disclosed on the Internet or otherwise made available;
- B. Awarding actual damages, not less than liquidated damages under Daniel's Law, at "\$1,000 for each violation";
- C. Awarding an additional amount in punitive damages, to be determined by the Court, for "willful noncompliance" as allowed under Daniel's Law;
- D. Awarding reasonable attorneys' fees, interest (pre and post judgment) and litigation costs incurred;
- E. Ordering injunctive relief requiring that Defendants comply with Daniel's Law, and remove the Individual Plaintiffs' and the Covered Persons' protected information wherever disclosed;
- F. Entering equitable or other permanent injunctive relief requiring Defendants to comply with Daniel's law, including the appointment of a qualified independent expert to ensure that Defendants prospectively maintain compliance with Daniel's Law; and

G. Awarding such other and further relief against Defendants as the Court deems equitable and just.

Respectfully Submitted,

GENOVA BURNS LLC

Dated: February 6, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh
Kathleen Barnett Einhorn
494 Broad Street
Newark, New Jersey 07102
Tel: (973) 533-0777

Attorneys for Plaintiffs

**MORGAN & MORGAN COMPLEX
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Tel.: (813) 223-5505
jyanchunis@ForThePeople.com
rmcgee@ForThePeople.com

(pro hac vice motions to be filed)

DESIGNATION OF TRIAL COUNSEL

The Court is advised that pursuant to New Jersey Court Rules 4:5-1(c) and 4:25-4, Rajiv D. Parikh, Esq. is hereby designated as trial counsel for Plaintiffs in this matter.

GENOVA BURNS LLC

Dated: February 6, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

CERTIFICATION PURSUANT TO RULE 4:5-1

Pursuant to R. 4:5-1, it is hereby stated that the matter in controversy between the parties hereto is not the subject of any other action pending in any other Court or of a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my knowledge and belief, no other action or arbitration proceeding between the parties hereto is contemplated. Further, other than the parties set forth in this pleading and the previous pleadings, if any, at the present time we know of no other parties that should be joined in the within action.

GENOVA BURNS LLC

Dated: February 6, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

CERTIFICATION PURSUANT TO RULE 1:38-7(b)

Pursuant to Rule 1:38-7(b), it is hereby stated that all confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future.

GENOVA BURNS LLC

Dated: February 6, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

Civil Case Information Statement

Case Details: MORRIS | Civil Part Docket# L-000224-24

Case Caption: ATLAS DATA PRIVACY C ORPORATIO VS
MELISSA DATA C

Case Initiation Date: 02/06/2024

Attorney Name: RAJIV D PARIKH

Firm Name: GENOVA BURNS LLC

Address: 494 BROAD ST 6TH FL

NEWARK NJ 07102

Phone: 9735330777

Name of Party: PLAINTIFF : ATLAS DATA PRIVACY
CORPORATION

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: OTHER Daniel's Law

Document Type: Complaint

Jury Demand: NONE

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

**Do you anticipate adding any parties (arising out of same
transaction or occurrence)?** NO

Does this case involve claims related to COVID-19? NO

**Are sexual abuse claims alleged by: ATLAS DATA PRIVACY
CORPORATION?** NO

Are sexual abuse claims alleged by: JANE DOE 1? NO

Are sexual abuse claims alleged by: JANE DOE 2? NO

Are sexual abuse claims alleged by: EDWIN MALDONADO? NO

Are sexual abuse claims alleged by: JUSTYNA MALONEY? NO

Are sexual abuse claims alleged by: SCOTT MALONEY? NO

Are sexual abuse claims alleged by: PATRICK COLLIGAN? NO

Are sexual abuse claims alleged by: PETER ANDREYEV? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

**Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:**

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO
Medical Debt Claim? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule* 1:38-7(b)

02/06/2024
Dated

/s/ RAJIV D PARIKH
Signed

Exhibit B



**GENOVA
BURNS**
ATTORNEYS-AT-LAW

Genova Burns, LLC
494 Broad Street, Newark, NJ 07102
Tel: 973.533.0777 Fax: 973.814.4045
Web: www.genovaburns.com

Rajiv D. Parikh, Esq.
Partner
Member of NJ and NY Bars
rparikh@genovaburns.com
Direct: 973-533-4446

February 21, 2024

VIA PROCESS SERVER

Melissa Data Corp
c/o Raymond F Melissa
22382 Avenida Empresa
Rancho Santa Margarita, CA 92688

Re: Atlas Data Privacy Corp. v. Melissa Data Corp., et al.,
Docket No.: MRS-L-000224-24

Dear Sir/Madam:

This firm represents plaintiffs with regard to the above-referenced matter. Enclosed for service pursuant to the Rules of Court, please find the following:

1. Summons;
2. Document Preservation Notice;
3. First Request for the Production of Documents;
4. First Set of Interrogatories;
5. Complaint;
6. Track Assignment Notice;
7. Case Information Sheet.

Please be guided accordingly.

Very truly yours,

GENOVA BURNS LLC

s/ Rajiv D. Parikh
RAJIV D. PARIKH

RDP:dmc
Enc.

GENOVA BURNS LLC

Rajiv D. Parikh, Esq. (032462005)

Kathleen Barnett Einhorn, Esq. (040161992)

494 Broad Street

Newark, New Jersey 07102

Tel.: (973) 533-0777

rparikh@genovaburns.com

keinhorn@genovaburns.com

Attorneys for Plaintiffs

ATLAS DATA PRIVACY CORPORATION,
*as assignee of individuals who are Covered
Persons, et al.,*

Plaintiffs,

v.

MELISSA DATA CORP. RICHARD ROES
1-10, *fictitious names of unknown individuals*
and ABC COMPANIES 1-10, *fictitious
names of unknown entities.*

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, MORRIS COUNTY
DOCKET NO.: MRS-L-000224-24

CIVIL ACTION

SUMMONS

FROM THE STATE OF NEW JERSEY TO:

To the Defendants Named Above:

The plaintiffs named above (and identified in the enclosed Complaint) have filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at <http://www.njcourts.gov>.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with

fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages, or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal services Offices and Lawyer Referral services is available in the Civil Division Management Office in the county listed above and online at <http://www.njcourts.gov>.

/s/ Michelle M. Smith

MICHELLE M. SMITH, ESQ

Clerk of the Superior Court

Dated: February 21, 2024

Name and Address of Defendants to be Served:

Melissa Data Corp
c/o Raymond F Melissa
22382 Avenida Empresa
Rancho Santa Margarita, CA 92688



**GENOVA
BURNS**
ATTORNEYS AT LAW

Genova Burns LLC
494 Broad Street, Newark, NJ 07102
Tel: 973.821.0777 Fax: 973.814.4045
www.genovaburns.com

Rajiv D. Parikh, Esq.
Partner
Member of NJ and NY Bars
rparikh@genovaburns.com
Direct: 973.815.4446

February 21, 2024

Melissa Data Corp
c/o Raymond F. Melissa
22182 Avenida Empresa
Rancho Santa Margarita, CA 92688

Re: Atlas Data Privacy Corp. v. Melissa Data Corp., et al.,
Docket No.: MRS-L-000224-24 – Document Preservation Notice

We represent Atlas Data Privacy Corporation and the Individual Plaintiffs (“Plaintiffs”) identified in the enclosed complaint (“Complaint”) and summons asserting claims under Daniel’s Law, P.L. 2023, c. 113 (N.J.S.A. 56:8-166.1), against the named defendants (“the Defendants”).

The purpose of this letter (the “Notice”) is to remind Defendants of their present and ongoing obligations to preserve and retain all materials potentially relevant to any of the allegations made by Plaintiffs in the Complaint (the “Dispute”).

This includes without limitation hard copies and electronically stored information (“ESI”), such as emails, text messages, messages on instant messaging platforms, and materials stored in or transferred via cloud storage.

This document preservation notice should be read broadly consistent with Defendants’ obligations under Rule 4:18-1 and all other applicable rules governing preservation and discovery.

Pursuant to Defendants’ preservation obligations, Defendants must immediately take steps to preserve all hard copy documents and ESI relevant to the Dispute, including without limitation:

- (a) suspending Defendants’ data destruction and backup tape recycling policies;
- (b) suspending any overwriting or update processes related to any ESI unless a copy of each version is maintained;
- (c) preserving relevant software, including legacy software (unless an exact copy or mirror image is made and stored) and hardware that is no longer in service but was in service during any part of the relevant time period (back to the



Melissa Data Corp
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enactment of Daniel's Law), and CVS source or other version control repositories:

- (a) retaining and preserving necessary information to access, review and reconstruct (if necessary) relevant electronic data, including identification codes and passwords, decryption applications, decompression software, reconstruction software, network access codes, manuals, and user instructions;
- (b) retaining and preserving all ESI related to the Dispute on personal devices (including for example and without limitation computers, phones, and tablets used by Defendants' employees, contractors, and agents);
- (c) retaining and preserving all Slack, WhatsApp, Viber, Signal, Telegram, and other instant messages and chats (including without limitation changing default settings on instant message programs to ensure those records are preserved);
- (d) any other reasonable steps necessary to prevent the destruction, loss, override or modification of relevant data either intentionally or inadvertently, such as through implementation of Defendants' document retention policies.

This list is not exhaustive, and Defendants have independent obligations to identify and preserve all relevant information. All ESI must be preserved intact and without modification.

The following is a non-exhaustive list of relevant information that should be preserved (with documents defined broadly to include without limitation all communications, including emails, text messages, and other communications):

- All documents concerning any of the allegations in the Complaint.
- All documents concerning Daniel's Law.
- All documents concerning Atlas.
- All documents concerning any of the Individual Plaintiffs.
- All documents concerning this litigation.
- All documents concerning any Daniel's Law Requests (as defined in N.J.S.A. 56:8-166.2).

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- All documents concerning Defendants' receipt of any Daniel's Law Requests.
- All documents concerning Defendants' response to any Daniel's Law Requests.
- All documents concerning Defendants' analysis of any Daniel's Law Requests.
- All documents concerning the disclosure of any home address and/or unpublished home telephone numbers, including without limitation on the website(s) identified in the Complaint after the receipt of any Daniel's Law Requests.
- All documents concerning Defendants' compliance process in connection with any Daniel's Law Requests, including Defendants' failure to comply.

This preservation should include all data and records relevant to assessing Defendants' compliance with Daniel's Law following the receipt of any Daniel's Law Requests, including for example data and records demonstrating any Defendant (or other responsible entity or individual) disclosing or re-disclosing on the Internet (including without limitation with the identified website(s)) or otherwise making available the home address and/or unpublished home telephone numbers of any person who sent any Daniel's Law Request. Plaintiffs expect that Defendants will preserve data and records concerning each and every violation of Daniel's Law, both for purposes of calculating statutory damages and for purposes of evaluating injunctive relief.

This list is not exhaustive, and Defendants each must conduct an investigation and preserve all information potentially relevant to the Dispute, including all information from any individual who has documents potentially relevant to the Dispute.

Defendants must also take reasonable steps to preserve all hard copy documents and ESI relevant to the Dispute that are not in their possession but are in their custody or control. Documents and ESI in the possession of non-parties that is within Defendants' custody or control must also be preserved intact and without modification.

Preservation of ESI includes preservation not only of the electronic information itself (whether stored online, offline, in a cloud-based server or in other electronic storage, or on any computers, handheld devices, tablets, cell phones or other devices, whether or not in Defendants' possession), but also of relevant related data, including without limitation:

- (a) active, archived and deleted copies of electronic information, such as e-mails, voicemails, text messages, instant messages (for example, Slack



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messages), calendars, diaries, word processing files, spreadsheets, PDFs, JPEGs, PowerPoint presentations, Google Drive files, Dropbox files, videoconferencing (e.g., Zoom) recordings and files, temporary internet files, cookies, and ZIP files, among others;

- (b) databases, including Dropbox, Box, Planbox, Visual Studio Team Services, Amazon RDS, Google Cloud, Microsoft Access or Azure, and SQL systems;
- (c) metadata about the electronically stored information, including the date that it was created and last modified, and the individual(s) that created and modified it.

This list is not exhaustive, and Defendants must preserve all information potentially relevant to the Dispute. Defendants' failure to preserve relevant ESI may constitute spoliation of evidence and subject Defendants to monetary and other sanctions. Plaintiffs reserve all rights in connection with any spoliation by Defendants. We trust that Defendants will preserve all relevant hard copy documents and ESI for the duration of the Dispute.

Please also maintain records of Defendants' efforts to comply with their preservation obligations. If a dispute arises out of Defendants' failure to preserve documents, Plaintiffs will rely on this letter as evidence of their request and reminder of Defendants' preservation obligations.

Thank you for your cooperation. If you have questions, please contact me.

Sincerely,

GENOVA BURNS LLC

/s/ Rajiv D. Parikh

RAJIV D. PARIKH

RDP:dmc
enc.

GENOVA BURNS LLC

Rajiv D. Parikh, Esq. (032462005)
Kathleen Barnett Einhorn, Esq. (040161992)
494 Broad Street
Newark, New Jersey 07102
(973) 533-0777
rparikh@genovaburns.com
keinhorn@genovaburns.com

Attorneys for Plaintiffs

ATLAS DATA PRIVACY CORPORATION,
*as assignee of individuals who are Covered
Persons, et al.,*

Plaintiffs,

v.

MELISSA DATA CORP, RICHARD ROES
1-10, fictitious names of unknown individuals
and ABC COMPANIES 1-10, *fictitious
names of unknown entities,*

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, MORRIS
DOCKET NO.: MRS-L-000224-24

CIVIL ACTION

**PLAINTIFFS' FIRST REQUEST TO
DEFENDANT FOR PRODUCTION OF
DOCUMENTS**

TO: MELISSA DATA CORP

PLEASE TAKE NOTICE that the undersigned, attorneys for plaintiffs, hereby demands that each Defendant produce and/or permit Plaintiffs or someone acting on Plaintiffs' behalf to inspect and copy the following designated documents at the offices of Genova Burns LLC, within the manner and within the time prescribed by the Rules of Court of the State of New Jersey.

GENOVA BURNS LLC

Attorneys for Plaintiffs

By: /s/ Rajiv D. Parikh
Rajiv D. Parikh

DATED: February 21, 2024

INSTRUCTIONS

A. If you assert a privilege or work-product immunity as a ground for non-production of any document requested, please produce all documents over which you are not asserting any such privilege or immunity, and in addition, set forth as to each document over which a privilege is claimed:

- (1) the date of the document;
- (2) the type of document (e.g., letter, memorandum, chart, etc.);
- (3) the names and addresses of all authors and recipients of the document and the employer and business or legal title of each author or recipient;
- (4) a detailed explanation of why the privilege or immunity is deemed applicable, including sufficient facts for the Court to make a full determination of whether your assertion is valid; and
- (5) the present location of the document and the name and address of its custodian.

B. This Request for Production shall be deemed continuing so as to require supplemental responses if you obtain or discover additional documents between the time your responses are served and the time of trial.

C. In producing documents in compliance with this Request, produce all documents which are available to you, including documents in the custody, possession or control of your attorney or investigators for your attorney, and not merely such documents known to exist to your own personal knowledge. If you do not comply in full with the following Request for Production due to the non-existence of the documents(s) sought, so state in writing, specifying the reason for your inability to produce such documents(s).

D. In producing documents in compliance with this Request, collate and identify each

document by the numbered Request(s) for Production to which each document is produced. If any particular document produced is responsive to more than one numbered Request for Production, identify each numbered Request to which said document is responsive.

DEFINITIONS

A. "And" and "or" as used herein shall have the same meaning, that is, the disjunctive meaning of "or." The listing of terms separated by commas, semi-colons, the word "and" or the word "or" shall be deemed to require a response to each and every term listed.

B. "Atlas" means Atlas Data Privacy Corporation ("Atlas") who is a Plaintiff and assignee of individuals who are covered persons under Daniel's Law as further alleged in the Complaint.

C. "Daniel's Law" means the law enacted in November 2020 (P.L. 2020, c. 125 codified in N.J.S.A. 47:1A-1, et seq. and N.J.S.A. 56:8-166.1), which prohibits online data brokers from selling, publishing, and distributing the name and address of current and former judges, law enforcement officers, and prosecutors and their eligible family members (i.e., "covered persons"), upon any written request by the covered person.

D. "Daniel's Law Request" means any request pursuant to Daniel's Law (N.J.S.A. 56:8-166.2) to refrain from disclosing, re-disclosing, or otherwise making available protected information and/or remove protected information from the Internet or where otherwise made available.

E. "Defendant" refers to each and every defendant identified in the Complaint and shall also include any and all agents, officers, directors, attorneys, employees, contractors, predecessors in interest, parents, subsidiaries, affiliates, assigns, successors, and representatives of any/all of them, or other persons acting on its respective or collective behalf.

F. "Describe," "set forth" and "state" all mean to state the substance of the event,

circumstances, facts, communications, representation, conversation, meeting, transaction, occasion or other occurrence in question; the date, time, place and identity of all persons present thereat or participating therein; that which each such person said and did; the approximate duration of such occurrence; the method or means of communications employed; the identity of all documents relating thereto; and the identity of all persons having knowledge of such occurrence; as well as the date and means when and whereby such knowledge was first acquired, setting forth the underlying facts rather than ultimate conclusions.

G. "Document" or "documents" means the original and any identical or non-identical copy, regardless of origin or location, of any written, reported, filmed, magnetically stored, or graphic matter, or record of any type or description, whether produced, reproduced or producible on paper, cards, tapes, film, electronic facsimile, computer storage devices, or any other media, including but not limited to emails, memoranda, notes, minutes, records, photographs, computer programs, correspondence, telegrams, diaries, bookkeeping entries, specifications, source code, object code, flow charts, financial statement, charts, studies, reports, graphs, statements, notebooks, handwritten notes, applications, feasibility studies, agreements, books, pamphlets, periodicals, appointment calendars, notes, records and recordings of oral conversations, work papers, and also including but not limited to, originals and all copies which are different in any way from the original, whether by interlineation, receipt stamp, notation, indication of copy sent or received, or otherwise; and drafts, which are in the possession, custody or control of the present or former agents, officers, directors, representatives, employees, or attorneys of Defendant, or all persons acting on Defendant's behalf, including documents at any time in the possession, custody or control of such individuals or entities who are known by Defendant to exist. Include also any catalog, brochure or any other data compilations from which information can be obtained and translated if necessary, or any other written, recorded, stored, transcribed, punched, taped, filed or

graphic matter however produced or reproduced, to which Defendant has or have had access.

H. "Identify," or "identification" mean, when used in reference to:

- (1) a natural person, his or her:
 - (a) full name;
 - (b) present or last known home address (including street name and number, city or town, state, zip code, and telephone number);
 - (c) present or last known business address (including street name and number, city or town, state, zip code, and telephone number);
 - (d) present or last known occupation, position, business affiliation, and job description;
 - (e) occupation, position, business affiliation, and job description at the time relevant to the particular interrogatory being answered.
- (2) a company, corporation, association, partnership or legal entity other than a natural person:
 - (a) its full name;
 - (b) a description of the type of organization or entity;
 - (c) the full address (including street name and number, city or town, state, zip code, and telephone number) of its principal place of business;
 - (d) the jurisdiction of incorporation or organization.
- (3) a document:
 - (a) its description (for example, letter, memorandum, report);
 - (b) its title (e.g., letter, memorandum, telegram, chart, etc.);
 - (c) its date;

- (d) the number of pages thereof;
- (e) its subject;
- (f) the identity of its author, signatory or signatories, and any person who participated in its preparation;
- (g) the identity of its addressee or recipient;
- (h) the identity of each person to whom copies were sent and each person by whom copies were received;
- (i) its present location; and
- (j) the identity of its present custodian.

(If any such document was, but is no longer, in the possession of or subject to the control of Defendant, state what disposition was made of it and when).

- (4) a communication or statement:
 - (a) the date and time when it occurred;
 - (b) the place where it occurred;
 - (c) the complete substance of the communication;
 - (d) the identity of each person; (1) to whom such communication was made; (2) by whom such communication was made; and (3) who was present when such communication was made;
 - (e) if by telephone: (1) the identity of each person: (i) who made each telephone call; and (ii) who participated in each call; and (2) the place where each person participating in the telephone call was located;
 - (f) the identity of all documents memorializing, referring to or

relating in any way to the subject of the communication.

I. “Individual Plaintiffs” means the Plaintiffs identified in the Complaint other than Atlas and shall include any and all agents, officers, directors, attorneys, employees, and other persons acting on its behalf.

J. “Plaintiff” means the Plaintiffs identified in the Complaint and shall include any and all agents, officers, directors, attorneys, employees, and other persons acting on its behalf.

K. “Person” means a natural person, firm, proprietorship, association, partnership, corporation or any other type of organization or entity.

L. “You” and “Your” refers to each Defendant responding to these requests, with the term Defendant broadly defined above.

REQUESTS FOR PRODUCTION OF DOCUMENTS

1. Any and all documents concerning any of the allegations in the Complaint.
2. Any and all documents concerning Daniel's Law.
3. Any and all documents concerning Atlas.
4. Any and all documents concerning any of the Individual Plaintiffs.
5. Any and all documents concerning this litigation.
6. Any and all documents concerning any Daniel's Law Requests.
7. Any and all documents concerning Defendants' receipt of any Daniel's Law Requests.
8. Any and all documents concerning Defendants' response to any Daniel's Law Requests.
9. Any and all documents concerning Defendants' analysis of any Daniel's Law Requests.
10. Any and all communications and documents regarding communications with any of the Individual Plaintiffs, Atlas, or any other Covered Person.
11. Any and all documents concerning the disclosure of any home address and/or unpublished home telephone numbers, including without limitation on the website(s) identified in the Complaint after the receipt of any Daniel's Law Requests.
12. Any and all documents concerning Defendants' compliance process in connection with any Daniel's Law Requests, including Defendants' failure to comply.

GENOVA BURNS LLC
Attorneys for Plaintiffs

By: /s/ Rajiv D. Parikh
Rajiv D. Parikh

DATED: February 21, 2024

CERTIFICATION

I hereby certify on behalf of _____ that I have reviewed the document production requests and that I have made or caused to be made a good faith search for documents responsive to the requests. I further certify that as of this date, to the best of my knowledge and information, the production is complete and accurate based on () my personal knowledge and/or () information provided by others. I acknowledge my continuing obligation to make good faith effort to identify additional documents that are responsive to the request and to promptly serve a supplemental written response and production of such documents, as appropriate, as I become aware of them.

DATED:

GENOVA BURNS LLC

Rajiv D. Parikh, Esq. (032462005)

Kathleen Barnett Einhorn, Esq. (040161992)

494 Broad Street

Newark, New Jersey 07102

(973) 533-0777

rparikh@genovaburns.com

keinhorn@genovaburns.com

Attorneys for Plaintiffs

ATLAS DATA PRIVACY CORPORATION,
as assignee of individuals who are Covered
Persons, et al.,

Plaintiffs,

v.

MELISSA DATA CORP, RICHARD ROES
1-10, fictitious names of unknown individuals
and ABC COMPANIES 1-10, *fictitious*
names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, MORRIS
DOCKET NO.: MRS-L-000224-24

CIVIL ACTION

**PLAINTIFFS' FIRST SET OF
INTERROGATORIES**

TO: MELISSA DATA CORP

PLEASE TAKE NOTICE that the undersigned attorneys for Plaintiffs hereby request that Defendants answer the following Interrogatories within the manner and within the time prescribed by the Rules of this Court of the State of New Jersey.

GENOVA BURNS LLC

Attorneys for Plaintiffs

By: /s/ Rajiv D. Parikh
Rajiv D. Parikh

DATED: February 21, 2024

INSTRUCTIONS

A. If any Interrogatory is not answered in full, state the precise reason for failing to complete the answer. If a legal objection is made with respect to any Interrogatory, you should set forth the specific reasons for such objection. If your response to all or part of any Interrogatory is incomplete or not known at the time your initial response is made, please (a) include an explicit statement to that effect in your response, designating that it is incomplete and providing the reasons or grounds for any omissions or refusals or inability to complete the response; (b) furnish the information that is known or available; and (c) respond to the Interrogatory by amended or supplemental response in writing under oath within 20 days of the date on which the supplemental information becomes known or available.

B. If you are withholding information requested by any Interrogatory or any portion of an Interrogatory upon a claim that it is privileged or subject to protection as trial preparation material, pursuant to R. 4:10-2(e), make the claim expressly in your written response, identifying the privilege or protection you are claiming, and provide sufficient information about the documents, communications, information, or other items not produced or disclosed in a manner that, without revealing information itself privileged or protected, will enable all parties to assess the applicability of the privilege or protection, including identifying the following information in a separate privilege log:

- (1) the nature of the privilege or protection claimed;
- (2) a statement of the basis for the claim of privilege or protection;
- (3) whether, as to the information requested, (i) any document exists, and/or (ii) any oral communications took place;
- (4) a description of the document, oral communication, or other item/information, including:

(a) For documents: (i) the type of document, e.g., letter or memorandum or e-mail; (ii) the general subject matter of the document; and in the case of any document relating or referring to a meeting or conversation, identification of such meeting or conversation; (iii) the date of the document; (iv) the author of the document, the addressees of the document, and any other recipients, including each person who was sent or shown blind or carbon copies of the such, or has had access to or custody of such, and, where not apparent, the relationship of the author, addressees, and recipients to each other; and (v) the number of pages, attachments, and appendices;

(b) For oral communications: (i) the name of the person making the communication and the names of persons present while the communication was made and, where not apparent, the relationship of the persons present to the person making the communication; (ii) the date and place of communication; and (iii) the general subject matter of the communication; and

(c) The present custodian of the document, oral communication, or other item/information.

C. In answering these interrogatories, furnish all information which is available to you, including non-privileged information in the possession of your attorneys, representatives, or investigators for your attorneys, and not merely such information known of your personal knowledge. If you cannot answer the following Interrogatories in full after exercising due diligence to secure the information to do so, so state and answer to the extent possible, specifying your inability to answer the remainder and stating whatever information or knowledge you have concerning the unanswered portions. This means:

(1) When answering the following Interrogatories, provide any and all

information either in your possession, under your control, within your dominion, or available to you, regardless of whether this information is in your personal possession, or is possessed by your agents, servants, employees, independent contractors, representatives, or others with whom you have or had a relationship and are capable of deriving information, documents, or materials; and

(2) If you do not have personal knowledge of the information contained in any of your answers to the below Interrogatories, you should state that your answer is not verified by personal knowledge and identify the person(s) from whom the information was obtained or, if the source of the information is documentary, provide a full description of the documents, including the location thereof.

D. If any answers to these Interrogatories are made based on information that was not within your personal knowledge, provide the name and address of every person from whom you received such information.

E. Where an interrogatory calls for identification of any paper, you are to attach a copy of such paper to your answers to these Interrogatories in addition to providing a written response to the Interrogatory, pursuant to R. 4:17-4, and you are to provide an explicit reference to each Interrogatory to which each document(s) is responsive.

F. These Interrogatories are to be continuing until the date of trial and any information secured subsequent to the filing of your answers, which would have been included in the answers had it been known or available, is required to be supplied by filing further and supplemental answers.

G. Pursuant to R. 4:17-7, if you obtain information that renders your answers to these interrogatories incomplete or inaccurate, you must serve amended answers not later than twenty (20) days prior to the end of the discovery period.

H. The fact that another party produced information requested in any particular Interrogatory, or that the requested information or similar or identical information is available from another source, or that the requesting party already has knowledge of the matter on which it is seeking discovery, does not relieve Plaintiff of his obligation to produce his response to each Interrogatory herein.

DEFINITIONS

A. "And" and "or" as used herein shall have the same meaning, that is, the disjunctive meaning of "or." The listing of terms separated by commas, semi-colons, the word "and" or the word "or" shall be deemed to require a response to each and every term listed.

B. "Atlas" means Atlas Data Privacy Corporation ("Atlas") who is a Plaintiff and assignee of individuals who are covered persons under Daniel's Law as further alleged in the Complaint.

C. "Daniel's Law" means the law enacted in November 2020 (P.L. 2020, c. 125 codified in N.J.S.A. 47:1A-1, et seq. and N.J.S.A. 56:8-166.1), which prohibits online data brokers from selling, publishing, and distributing the name and address of current and former judges, law enforcement officers, and prosecutors and their eligible family members (i.e., "covered persons"), upon any written request by the covered person.

D. "Daniel's Law Requests" means any request pursuant to Daniel's Law (N.J.S.A. 56:8-166.2) to refrain from disclosing, re-disclosing, or otherwise making available protected information and/or remove protected information from the Internet or where otherwise made available.

E. "Defendant" refers to any defendant identified in the Complaint and shall include any and all agents, officers, directors, attorneys, employees, contractors, predecessors in interest, parents, subsidiaries, affiliates, assigns, successors, and representatives of any/all of them, or other

persons acting on its respective or collective behalf.

F. "Describe," "set forth" and "state" all mean to state the substance of the event, circumstances, facts, communications, representation, conversation, meeting, transaction, occasion or other occurrence in question; the date, time, place and identity of all persons present thereat or participating therein; that which each such person said and did; the approximate duration of such occurrence; the method or means of communications employed; the identity of all documents relating thereto; and the identity of all persons having knowledge of such occurrence, as well as the date and means when and whereby such knowledge was first acquired, setting forth the underlying facts rather than ultimate conclusions.

G. "Document" or "documents" means the original and any identical or non-identical copy, regardless of origin or location, of any written, reported, filmed, magnetically stored, or graphic matter, or record of any type or description, whether produced, reproduced or producible on paper, cards, tapes, film, electronic facsimile, computer storage devices, or any other media, including but not limited to emails, memoranda, notes, minutes, records, photographs, computer programs, correspondence, telegrams, diaries, bookkeeping entries, specifications, source code, object code, flow charts, financial statement charts, studies, reports, graphs, statements, notebooks, handwritten notes, applications, feasibility studies, agreements, books, pamphlets, periodicals, appointment calendars, notes, records and recordings of oral conversations, with papers, and also including but not limited to, originals and all copies which are different in any way from the original, whether by interlineation, receipt stamp, notation, indication of copy sent or received, or otherwise, and drafts, which are in the possession, custody or control of the present or former agents, officers, directors, representatives, employees, or attorneys of Defendant, or all persons acting on Defendant's behalf, including documents at any time in the possession, custody or control of such individuals or entities who are known by Defendant to exist. Include also any

catalog, brochure or any other data compilations from which information can be obtained and translated if necessary, or any other written, recorded, stored, transcribed, punched, taped, filed or graphic matter however produced or reproduced, to which Defendant has or have had access.

H. "Identify," or "identification" mean, when used in reference to:

- (1) a natural person, his or her:
 - (a) full name;
 - (b) present or last known home address (including street name and number, city or town, state, zip code, and telephone number);
 - (c) present or last known business address (including street name and number, city or town, state, zip code, and telephone number);
 - (d) present or last known occupation, position, business affiliation, and job description;
 - (e) occupation, position, business affiliation, and job description at the time relevant to the particular interrogatory being answered.
- (2) a company, corporation, association, partnership or legal entity other than a natural person:
 - (a) its full name;
 - (b) a description of the type of organization or entity;
 - (c) the full address (including street name and number, city or town, state, zip code, and telephone number) of its principal place of business;
 - (d) the jurisdiction of incorporation or organization.
- (3) a document:
 - (a) its description (for example, letter, memorandum, report);

- (b) its title (e.g., letter, memorandum, telegram, chart, etc.)
- (c) its date;
- (d) the number of pages thereof;
- (e) its subject;
- (f) the identity of its author, signatory or signatories, and any person who participated in its preparation;
- (g) the identity of its addressee or recipient;
- (h) the identity of each person to whom copies were sent and each person by whom copies were received;
- (i) its present location; and
- (j) the identity of its present custodian.

(If any such document was, but is no longer, in the possession of or subject to the control of Defendant, state what disposition was made of it and when).

- (4) a communication or statement:
 - (a) the date and time when it occurred;
 - (b) the place where it occurred;
 - (c) the complete substance of the communication;
 - (d) the identity of each person: (1) to whom such communication was made; (2) by whom such communication was made; and (3) who was present when such communication was made;
 - (e) if by telephone: (i) the identity of each person: (i) who made each telephone call; and (ii) who participated in each call; and (3) the place where each person participating in the telephone call

was located;

- (f) the identity of all documents memorializing, referring to or relating in any way to the subject of the communication.

I. “Individual Plaintiffs” means the Plaintiffs identified in the Complaint other than Atlas and shall include any and all agents, officers, directors, attorneys, employees, and other persons acting on its behalf.

J. “Plaintiff” means the Plaintiffs identified in the Complaint and shall include any and all agents, officers, directors, attorneys, employees, and other persons acting on its behalf.

K. “Persons” means a natural person, firm, proprietorship, association, partnership, corporation or any other type of organization or entity.

L. “You” and “Your” refers to each Defendant responding to these interrogatories, with the term Defendant broadly defined above.

INTERROGATORIES

1. Please provide detailed information regarding all persons (including all companies and individuals, with contact information) that since receiving any Daniel's Law Request have had any ownership, controlling interest, or agency over each of the websites listed in Plaintiffs' Complaint.

2. Please identify every source of home addresses and/or unpublished home telephone numbers that you own, have a controlling interest in, or otherwise have any agency over, including w(thout limitation all such Internet websites (by name and URL) and any other way in which such information is made available.

3. Please describe in detail all ways in which you have obtained (and in the future obtain) and have disclosed or made available (and in the future disclose or make available) any home addresses or unpublished home telephone numbers, including without limitation by identifying all upstream and downstream sources and recipients of such data including, but not limited to any websites, URLs, databases, entities, and individuals.

CERTIFICATION

I hereby certify that the foregoing answers to answers to interrogatories are true. I am aware that if any of the following statements made by me are willfully false, I am subject to punishment.

I hereby certify that the copies of any documents annexed hereto and provided herein are exact copies; that the existence of any other documents are unknown to me, and if such become later known or available, I shall serve them promptly on the propounding party.

DATED:

GENOVA BURNS LLC

Rajiv D. Parikh (032462005)
Kathleen Barnett Einhorn (040161992)
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Newark, New Jersey 07102
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Attorneys for Plaintiffs Atlas Data Privacy Corporation, Jane Doe-1, a law enforcement officer, Jane Doe-2, a law enforcement officer, Edwin Maldonado, Scott Maloney, Justyna Maloney, Patrick Colligan, and Peter Andreyev

ATLAS DATA PRIVACY CORPORATION,
as assignee of individuals who are Covered Persons, JANE DOE-1, a law enforcement officer, JANE DOE-2, a law enforcement officer, EDWIN MALDONADO, SCOTT MALONEY, JUSTYNA MALONEY, PATRICK COLLIGAN, and PETER ANDREYEV,

Plaintiffs,

v.

MELISSA DATA CORP, RICHARD ROES
1-10, fictitious names of unknown individuals and ABC COMPANIES 1-10, fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, MORRIS COUNTY
DOCKET NO.: MRS-L-_____-24

CIVIL ACTION

COMPLAINT

Plaintiffs Atlas Data Privacy Corporation (“Atlas”) as the assignee of individuals who are Covered Persons under Daniel’s Law along with Jane Doe-1 (a law enforcement officer), Jane Doe-2 (a law enforcement officer), Edwin Maldonado, Scott Maloney, Justyna Maloney, Patrick

Colligan, and Peter Andreyev (collectively, “Plaintiffs”), by and through their undersigned counsel, hereby submit this Complaint against Defendants and state as follows:

INTRODUCTION

1. In these tumultuous times, it is critical that the most sensitive personal information of those who serve the public be protected from unwarranted disclosure. As set forth below, Daniel’s Law was passed unanimously by our Legislature to provide judges, law enforcement officers, and prosecutors – and their families – with the right to prevent the disclosure of their home addresses and unpublished home telephone numbers, and to enforce those rights against uncooperative profit-seeking data brokers.

2. This complaint seeks to protect those important rights, against companies brokering data and choosing profit and personal gain over a critical public interest and the unequivocal mandate of the law. Companies in the business of disclosing this protected information have avoided accountability for far too long, proffering such information, including home addresses and unpublished home telephone numbers, without sufficient regard for the risks and consequences imposed upon individuals who serve critical judicial and law enforcement roles.

3. The Legislature and Governor unanimously agree that the basic safety of those who serve – and their families – must be assured. Here, not only do the data brokers wantonly and repeatedly disregard the law, but they also demonstrate a callousness towards the well-being of those who serve. Our judges, law enforcement officers and prosecutors should receive the full measure of protection afforded to them under the same laws they enforce for the safety of all citizens.

4. With this action, Plaintiffs seek to enforce the important rights granted to judges, law enforcement officers, and prosecutors under Daniel’s Law. Consistent with the statutory provisions, Atlas brings this action as an assignee for certain individuals, including many family

members of law enforcement officers and prosecutors. Plaintiffs seek all available injunctive relief and statutory damages, including to prevent any further disclosure by Defendants of information in violation of Daniel's Law.

BACKGROUND

Passage of Daniel's Law in New Jersey

5. In July 2020, Daniel Anderl, the son of a New Jersey federal Judge, was shot dead by a gunman posing as a FedEx delivery man at the front door of the family's New Jersey home. Daniel, who was just age 20 and a rising junior in college, and who aspired to practice law like his parents, took a bullet to his chest trying to protect his parents. By the time his mother, a Judge, came to the door to check on what happened, the killer was gone. But her husband was critically wounded, and Daniel tragically died from the gunshot.

6. During the investigation, the perpetrator was found to have certain political and personal grievances against the Judge, and went to their home that day intending to kill her. Instead, he murdered the Judge's son and almost succeeded in killing her husband as well. Investigators eventually connected this attack with another shooting of an attorney in California, who was similarly mortally gunned down answering the door to his residence to pick up a supposed package from the same disguised gunman. Authorities concluded that the shooter was disgruntled over certain legal cases with similar political and legal issues to what was pending before Daniel's mother.

7. Critically, the gunman was able to find the home addresses of both of his murder victims through the various people finder resources available on the internet,¹ the same kind of data broker services at issue in this case.

¹ <https://www.cbsnews.com/news/esther-salas-son-murder-roy-den-hollander-48-hours/>.

New Jersey Passes Daniel's Law in 2020

8. In response to the shooting of Daniel, New Jersey enacted Daniel's Law within a few months, in November 2020 (P.L. 2020, c. 125 *codified in* N.J.S.A. 47:1A-1, et seq. and N.J.S.A. 56:8-166.1), which prohibits online data brokers from selling, publishing, and distributing the name and address of current and former judges, law enforcement officers, and prosecutors and their eligible family members (i.e., "covered persons"), upon any written request by the covered person. Law enforcement personnel are expressly covered by the statute, in full recognition that the public service they provide is no less dangerous or important than those of Judges and prosecutors.

9. Any such covered person may request that a data broker not "disclose or re-disclose on the Internet or otherwise make available" their home addresses or unpublished home telephone numbers. Disclosure is defined to mean to "solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise, or offer, and shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed." Data brokers must cease disclosure of this protected information within 10 business days of receiving a nondisclosure request from a covered person.

Congress Passes Daniel Anderl Judicial Security and Privacy Act in 2022

10. Similar to the actions taken by the State of New Jersey, federal judges such as U.S. Supreme Court Chief Justice John G. Roberts Jr. proposed and supported a federal version of Daniel's Law. The Chief Justice was quoted stating, "[t]he law requires every judge to swear an

oath to perform his or her work without fear or favor, but we must support judges by ensuring their safety ... [a] judicial system cannot and should not live in fear.”²

11. The federal bill, which had broad bipartisan support in both the House and Senate, protected judges’ personally identifiable information from resale by data brokers. It allowed federal judges to redact their personal information displayed on federal government internet sites.

12. The U.S. Senate voted 83-11 to pass the annual defense authorization bill, with the Daniel Anderl Judicial Security and Privacy Act attached,³ and it was signed by President Biden.⁴

Violence Against Police Officers and Judges Has Not Stopped

13. Judges, law enforcement officers, and prosecutors put their lives on the line every day, which is clearly exhibited by numerous horrific stories of violence beyond the story of the murder of Daniel Anderl. For example, in 2020, three shooters openly fired upon the Camden home of two New Jersey police officers and their 10-day old infant. That the officers were constantly involved in the community doing good afforded them no safety from the perpetrators.⁵

14. More recently, another perpetrator hunted and killed in cold blood a Maryland Judge, after a child custody ruling.⁶ The killing followed that of a Wisconsin Judge in 2022, where the perpetrator killed the retired Judge out of spite for his handling of a criminal case in 2005.⁷

² <https://www.washingtonpost.com/politics/2022/12/31/supreme-court-roberts-leak-report/>.

³ <https://www.uscourts.gov/news/2022/12/16/congress-passes-daniel-anderl-judicial-security-and-privacy-act>.

⁴ <https://www.nj.com/politics/2022/12/biden-signs-defense-policy-bill-that-remembers-3-new-jerseyans.html>.

⁵ [Shooters Open Fire On Home Of New Jersey Police Officers In ‘Targeted Attack,’ Chief Says \(forbes.com\)](https://www.forbes.com).

⁶ [Judge Andrew Wilkinson: Suspect still on the run after killing a judge at his home in a 'targeted attack' following a child custody ruling, sheriff says | CNN](https://www.cnn.com).

⁷ [Former Judge John Roemer was killed in his Wisconsin home in a targeted attack, officials say | CNN](https://www.cnn.com).

THE PARTIES

The Individual Plaintiffs

15. Plaintiff JANE DOE-1, whose name has been anonymized for safety reasons, is a decorated veteran police officer working in Northern New Jersey. Between 2021 and 2022, Officer Doe-1 participated in a task force that targeted a major criminal organization operating in the state. Her efforts ultimately led to the arrest and prosecution of a member of the organization's leadership, an individual with an extensive criminal history including threats of violence. In the subsequent investigation, digital devices recovered from the organization's leadership were analyzed and photographs of Officer Doe-1's personal residence were identified. Officer Doe-1 lives in the home with her spouse and their young child. Evidence recovered in the investigation included night-time photography of the young child's bedroom and playroom windows, with the light on while the child was playing inside. Further investigation revealed that the criminal organization's leadership had hired a private investigator who searched online data broker websites to obtain the officer's home address. Having identified her home address, text messages confirmed that they had initiated surveillance and were tracking Officer Doe-1's movements to and from her home, immediately prior to the task force initiating arrests.

16. Plaintiff JANE DOE-2, whose name has been anonymized for safety reasons, is a veteran correctional police officer who lives in Northern New Jersey with her husband and two young children. Earlier in her career, Officer Doe-2 was the subject of a death threat from a hostile inmate. The inmate stated that they intended to kill Officer Doe-2, and further implied that they would rely upon a particular private investigator to track down Officer Doe-2's home address to facilitate the murder. This death threat was investigated and considered credible enough to result in a successful criminal prosecution. Part of Officer Doe-2's current duties include working in her

correctional facility's law library, where inmates have access to the Internet including online data broker websites and services. Recently Officer Doe-2 and her coworkers discovered a note left behind by an inmate which included the full name and home address of a young female member of the jail's administrative staff. The most effective ways to safeguard the security and privacy of their home addresses - for their own safety and that of their family members - is a frequent topic of discussion and concern among the correctional police officers working at Officer Doe-2's facility.

17. Plaintiff Officer EDWIN MALDONADO joined the Plainfield, New Jersey police department as a patrol officer in 2000. After a few months on the job, he was assigned to street crimes, where he excelled at field work. In 2005, he became a Detective with Plainfield's major crimes unit and joined a Federal task force targeting the Mara Salvatrucha-13 (MS-13) gang in New Jersey. He worked with the task force for the next two years. During that time period, he received multiple credible death threats from MS-13 members. Detective Maldonado did not believe he would be able to safeguard his home address while living in Plainfield and relocated his family to a remote location from which he commuted to work. In 2009, because his relocation effort had been successful and MS-13 could not locate his new home address, gang members targeted Detective Maldonado's mother instead. They intended to burn down her building with her inside, but set fire to an adjacent building by mistake. Phone calls between MS-13 members discussing the premeditated murder of Detective Maldonado and his family, and the premeditated murder of Detective Maldonado's mother, were intercepted by jail wiretaps. Later in multiple criminal trials, evidence was entered into the record regarding these intercepted conversations and premeditated murders, contributing to numerous successful prosecutions.

18. Plaintiffs Sergeant SCOTT MALONEY (“Sergeant Maloney”) and Officer JUSTYNA MALONEY (“Officer Maloney”) are husband and wife, both veteran police officers currently serving with the Rahway, New Jersey Police Department. They live together in New Jersey with their two young children. In April of 2023, Officer Maloney responded to a routine call of a suspicious individual outside the Motor Vehicle Commission in Rahway. The individual was an online content creator who often solicits police contact and then films himself debating constitutional rights with the responding officers. A subset of the content creator’s audience is vocally anti-police and videos posted to his social media channel have historically been the source of harassment and intimidation campaigns directed at the officers involved. In this case, Officer Maloney and several other responding officers were filmed discussing a number of legal issues with the content creator, including whether or not the content creator was required to take his hands out of his pockets to show that he was unarmed. Overall, the encounter was routine and ended uneventfully.

19. The resulting video footage was selectively edited and posted to YouTube. Almost immediately upon the video being posted, Officer Maloney was targeted by followers of the channel and other individuals who viewed the video. Sergeant Maloney was quickly identified by viewers as Officer Maloney’s husband, and became a target himself, due to their relationship as a married couple and his own status as a police officer. Web links to data broker websites publicly disclosing the Maloney family’s home address and unpublished home telephone numbers were posted along with explicit death threats and calls for violence, resulting in dozens of threatening phone calls and text messages.

20. One of the text messages sent to Sergeant Maloney demanded money and stated that if Sergeant Maloney did not comply then his family would “pay in blood.” The unknown

messenger went on to state that they knew where the Maloneys lived and sent the full name and home address of one of the Maloneys' nearby relatives as proof of the messenger's ability to gather sensitive personal information. Sergeant Maloney refused to comply with any demands. He then received a video of three individuals in ski masks armed with handguns and assault rifles repeating the extortion demand. In part of the video, a masked individual points a rifle at the camera and tells Sergeant Maloney that his family is "going to get [their] heads cut off."

21. Several weeks later, one of the Maloneys' neighbors observed two suspicious looking individuals in ski masks parked one block away from the home and alerted police. Responding officers arrested two men - who were armed - for unlawful possession of a firearm. Video surveillance captured by nearby houses shows the two men circling the Maloneys' house immediately prior to their arrest. Officer Maloney and her two young children were at home at the time.

22. Plaintiff Detective PATRICK COLLIGAN is a 32-year veteran of the Franklin Township police department in Somerset, New Jersey. Since 2014, Detective Colligan has served as the President of the New Jersey State Policemen's Benevolent Association, representing more than 33,000 active law enforcement officers throughout the state. During the course of his law enforcement career, he has received numerous threats of violence targeted at him and his family as a result of his public service. The seriousness of certain threats necessitated the installation of a surveillance camera system and alarm system, and training for his spouse and children about how to respond in the event of an attack on their home.

23. Plaintiff Officer PETER ANDREYEV is a 32-year veteran of the Point Pleasant, New Jersey police department. Officer Andreyev currently services as the Executive Vice President of the New Jersey State Policemen's Benevolent Association, representing more than

33,000 active law enforcement officers throughout the state. During the course of his law enforcement career, he has received numerous threats of violence targeted at him and his family as a result of his public service. Officer Andreyev has counseled many other officers who have been the target of violent threats on ways to protect themselves and their family members from harm. whose protected information has been discovered and has responded to specific incidents where protected information was used by ex-inmates to threaten, harass, or intimidate fellow officers.

Plaintiff Atlas and its Assignors

24. Plaintiff ATLAS DATA PRIVACY CORPORATION is a Delaware corporation, with offices at 201 Montgomery Street, Suite 263, Jersey City, New Jersey 07302.

25. As permitted under Daniel's Law, Atlas asserts claims against Defendants as the assignee of the claims of approximately 18,587 individuals who are all "covered persons" under Daniel's Law (together, the "Covered Persons"), including a significant number of individuals who are family members of judges, law enforcement officers, and prosecutors.

26. The Covered Persons include individuals who reside, work or had previously resided or worked in New Jersey, and qualify as "covered persons" as that term is defined under Daniel's Law, each of whom have claims against Defendants for failing to comply with Daniel's Law.

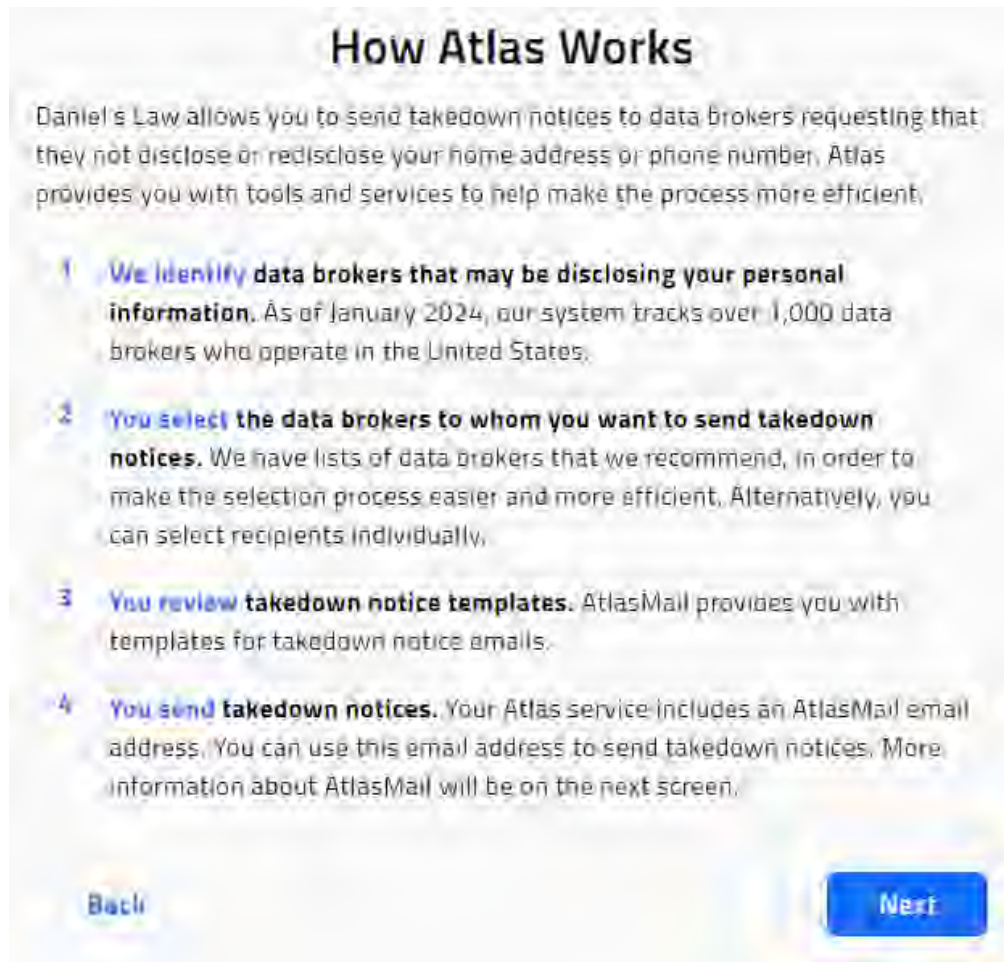
27. As set forth in more detail below, the Covered Persons (as well as the Individual Plaintiffs) each exercised their rights under Daniel's Law by sending Defendants a written notice requesting that Defendants cease disclosing or re-disclosing on the Internet or otherwise making available their protected information on one or more of Defendants' websites or through other methods of disclosure.

28. Defendants have not complied with the law by ceasing the disclosure or re-disclosure on the Internet or the otherwise making available of protected information as required under Daniel's Law for each of the Covered Persons (as well as each of the Individual Plaintiffs) as required by the law.

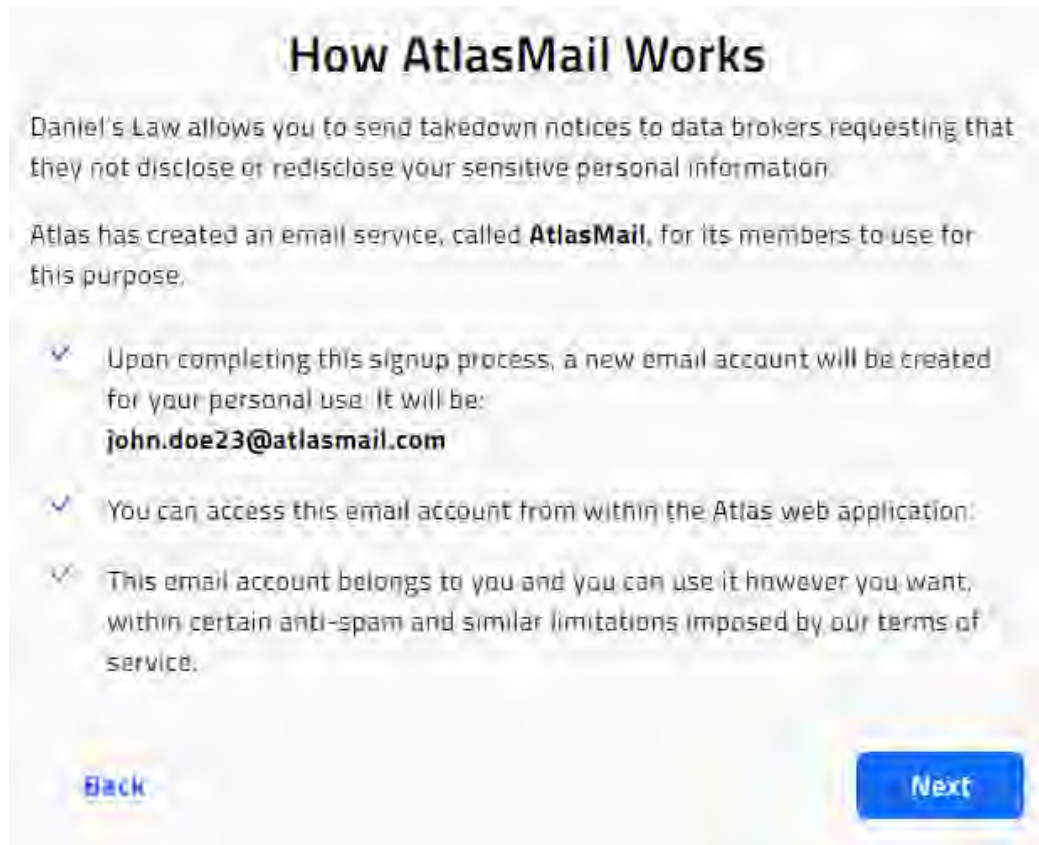
29. In accordance with Daniel's Law, each of the Covered Persons has assigned their rights for claims thereunder against Defendants to Atlas.

30. Atlas provides an online platform, including an email service named AtlasMail, to law enforcement officers, prosecutors, judges, and other covered persons. Atlas works with and provides access to its platform to members of the New Jersey State Policemen's Benevolent Association, the Metropolitan Transportation Authority Police Benevolent Association, New Jersey PBA Local 105, and the New Jersey State Troopers Fraternal Association, among others. The goal of these unions and associations, since the first passage of Daniel's Law in November 2020, was to increase the safety and well-being of their members and associated households by helping those members to understand and assert the rights provided to them by the law.

31. Upon signing up for Atlas, a law enforcement officer or other Covered Person is asked a series of questions to collect required personal information and qualify their eligibility as a covered person under Daniel's Law. Once eligibility is confirmed, they are shown a page explaining how the Atlas platform works:










32. AtlasMail is an email service operated by Atlas. Upon signing up with Atlas, each law enforcement officer or other Covered Person receives their own AtlasMail account, with a unique inbox address (e.g. john.doe23@atlasmail.com) for their personal use. A description of AtlasMail and more information about how the email service works are provided on a page during the signup process:



33. Having provided personal information, confirmed their eligibility for Daniel's Law, and progressed through several pages explaining the functions of Atlas as a platform and AtlasMail as an email service, the law enforcement officer or other Covered Person is then presented with a page on which they can review their home addresses and unpublished home telephone numbers, a takedown notice template, and a recommended list of data brokers to send notices to. On this page the law enforcement officer or other Covered Person can choose whether or not to send takedown notices. If they choose not to send takedown notices to the recommended list, they can select individual recipients at a later page (as shown in the example copied below). Here, each of the Individual Plaintiffs and Covered Persons sent Defendants a takedown notice.

Data Brokers Included ⌵ ☐ Select All

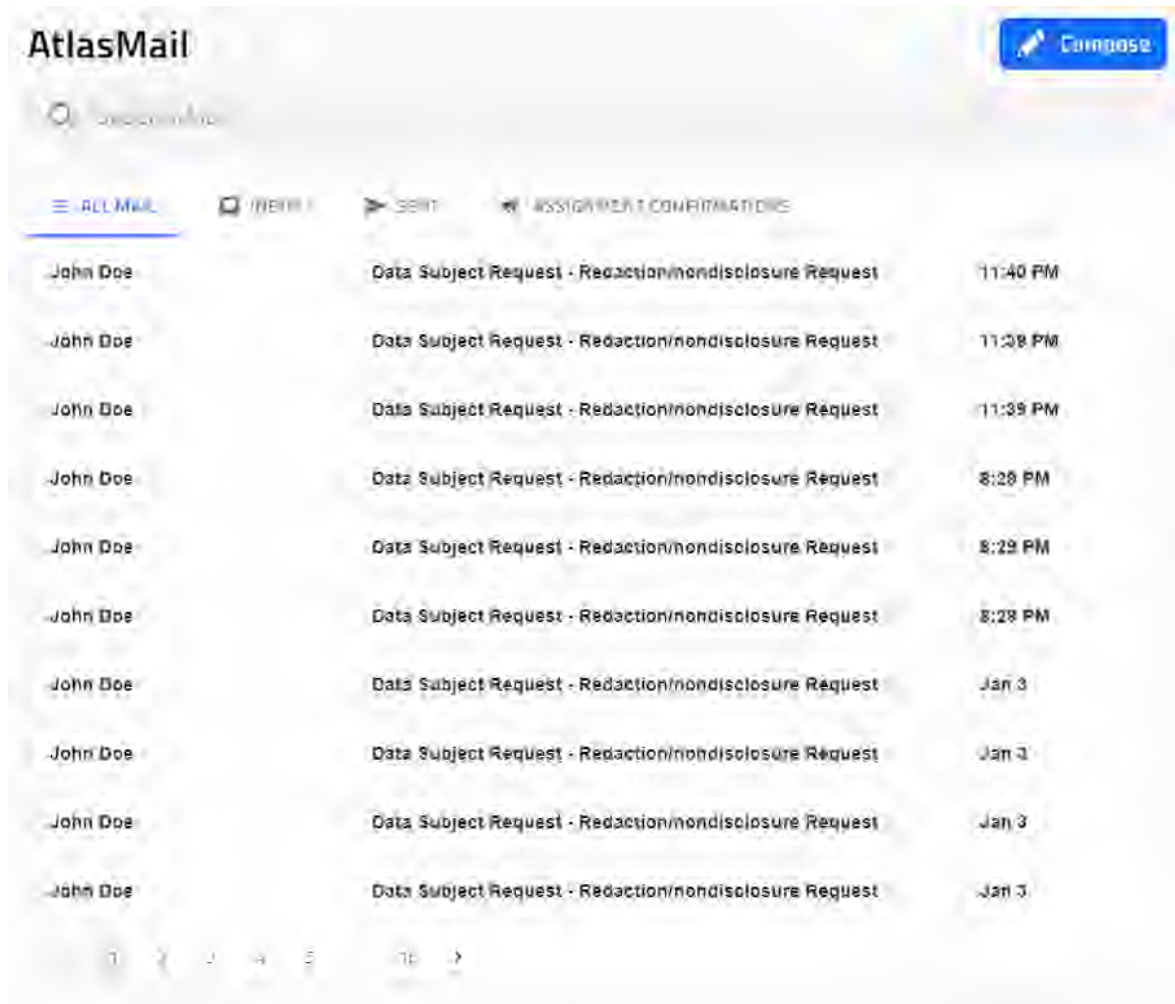
	People Data Labs (peopledatalabs.com)	<input type="checkbox"/>
	People Finder Free (peoplefinderfree.com)	<input checked="" type="checkbox"/>
	People Finders (peoplefinders.com)	<input checked="" type="checkbox"/>
	People Looker (peoplelooker.com)	<input checked="" type="checkbox"/>
	People Search (peoplesearch.com)	<input checked="" type="checkbox"/>
	People.ai (people.ai)	<input type="checkbox"/>
	Peoplebackgroundcheck (people-background-check.com)	<input checked="" type="checkbox"/>

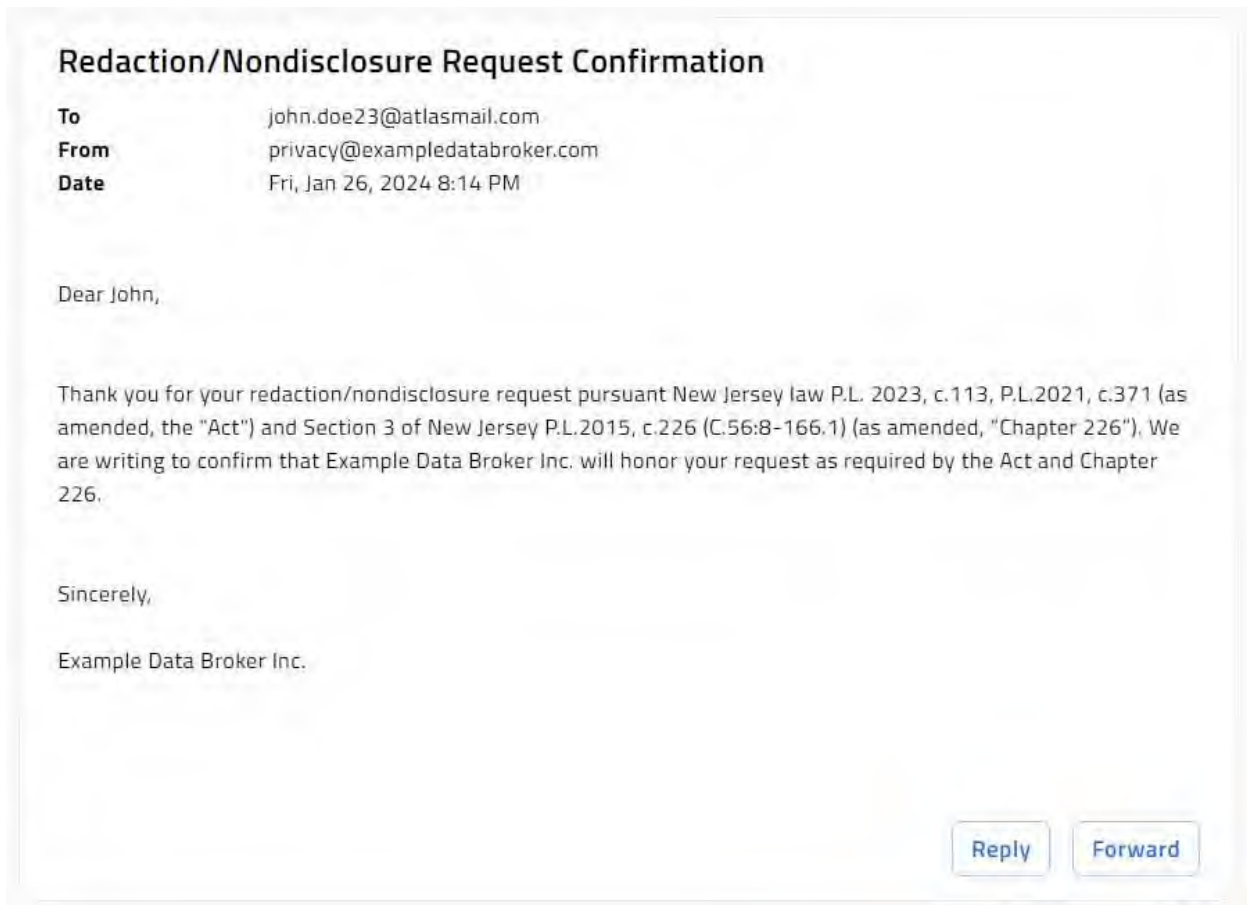
Cancel Save

By selecting the personal information and data brokers above and clicking "Send Takedowns" below, you will be sending a large volume of takedown notices from your AtlasMail email address john.doe23@atlasmail.com

Send Takedowns

34. Any reply or response back from a data broker to the law enforcement officer or other Covered Person is received and displayed in their AtlasMail inbox. AtlasMail is a fully featured email service provider, and its users can reply, forward, or use their AtlasMail account as they would any other email account:





35. With this lawsuit, Atlas seeks to enforce compliance with Daniel's Law for those Covered Persons. This lawsuit seeks to protect their privacy without unnecessarily putting those individuals in the spotlight. Atlas will work with the Court and Defendants to implement a protective order to then provide Defendants with the assignments and other information for each of the Covered Persons.

Defendants

36. Defendant Melissa Data Corp is an entity that discloses or re-discloses on the Internet or otherwise makes available the home addresses and/or unpublished home telephone numbers of covered persons.

37. Defendants Richard Roes 1-10 and ABC Companies 1-10 (collectively with the defendants identified above referred to as the “Defendants”) are fictitious names of currently unknown individuals/entities that were also involved with the violations described in this Complaint who have not yet been identified in part due to what appears to be intentional efforts by data brokers to conceal the specific entities involved and responsible for the disclosure of data and information, and individuals responsible for Defendants failures to comply with the law.



38. Defendants offer and engage in the disclosure of data and information through one or more websites or applications, or otherwise in New Jersey, and to businesses and individuals who operate or reside in New Jersey. Those websites include:



melissa.com






39. In accordance with Defendants’ business model, visitors, users, or customers may obtain a name and home address and/or a name and unpublished home telephone number (including the name and address and/or unpublished home telephone number of the Individual Plaintiffs and Covered Persons). The following is a redacted example of the detailed information provided by Defendants,⁸ in violation of Daniel’s Law:

⁸ Consistent with the mandate of Daniel’s Law and the public policy considerations underpinning Rule 1:38-7, personal information in the search results has been redacted from the exemplar screenshots included herein.

https://lookups.melissa.com/home/personator/?fullName=&addressLine1=&postalCode=&melissaAddressKey=&phoneNumber=&emailAddress=&freeForm= January 16, 2024 at 7:45 PM EST

[Enterprise](#) [Direct Marketing](#) [Developer](#) [Lookups](#) Hello  My Account 

 1-800-MELISSA 

  > **Personator**   History  Dark Mode

Enter a Name, Address, Phone or Email


Name

Address

City

State

ZIP Code

MAK 

Phone

Email

Free Form

Submit

Clear

4 Credits per Lookup (Credit Balance 9,644)

Identity Validation

Validate the identity of a U.S. or Canadian individual with limited input data. Use any single or combination input of name, address, phone number, email address, ZIP Code or Melissa Address Key (MAK) and we will match it against our records to verify the identity and find more contact information.

How to Validate Identity


- Enter a name and choose the best match to find the related address, phone, email, and demographic information.
- Enter an email, phone or address to find the related name and additional details.
- Use the Free Form input to copy and paste any combination of name, address, phone or email.
- Developers Guide to Personator.


Listware Online - Clean, correct and enhance lists with up to 1 million records

Download the Free [Melissa Lookups App](#) now! [Learn More >](#)



GET IT ON
Google Play


Download on the
App Store



Name & Address Verified 



 [Suggest an Edit](#)


Climate · Contributors · Home Sales · Nonprofits · Street Detail · Crime Map



Name at Address   Name & Address Match (VR01)



MIK (Melissa Identity Key) 


Birth Month-Year  Age 



Address   Address Verified (AS01)


Property Information **Owner** 


Email   Email Appended (DA40)

Phone   Phone Appended (DA30)

MAK (Melissa Address Key)  Personator Search by MAK

Lat. & Long.   Geocoded to Rooftop Level (GS05)

Address Type 

Postal Carrier Route  [Map](#)

U.S. Representative Map

Census Entities

County Map

County Subdivision Map

Tract Map

Block Map Block/Parcels Map

City, Place or Town Map

Unified School District Map

State Upper District Map

State Lower District Map

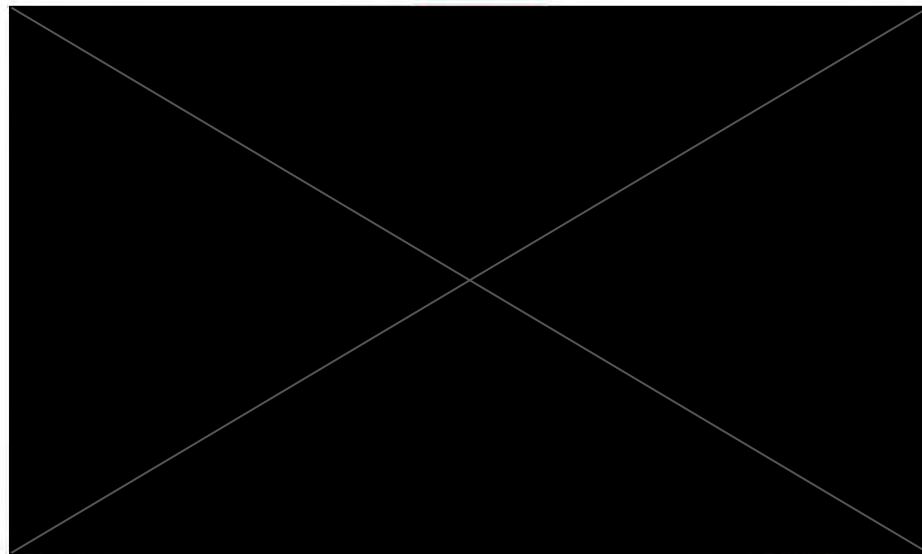
Delivery Post Office Map

Last Name Ethnicity Whites Black Hispanic Asian

Census Last Name Rank

Easily obtain data with JSON or XML formats and Print (4 credits for each request)

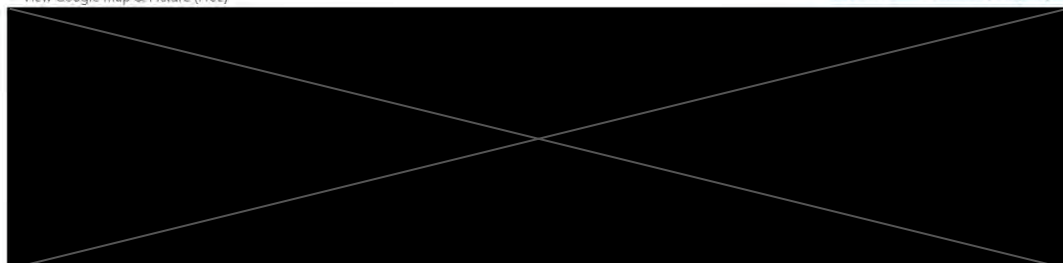
Get 140+ result fields of Personator:

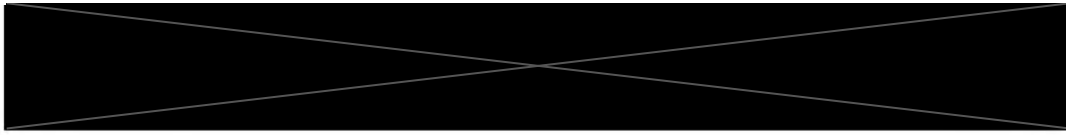


[View Google Map & Picture \(Free\)](#)

[Hide Markers](#)

[Download \(Print\) Map](#)





Recommended Products Related to this Lookup



Personator Consumer

Verify consumer identity and add missing demographics to records.

[Free Trial](#)



Personator Search

With just a name, get the address, email, DOB for anyone. Great for skip tracing!

[Free Trial](#)




SaaS Data Cleansing

Upload your list to Listware for address, email and phone cleaning, verification & more.

[Try Free](#)

Total Addresses Verified: 173,641,241,184

[Credit Balance](#)  [Credit Costs & Pricing](#) [Privacy](#) [Newsletter](#) [Product News](#) [Terms of Use](#) [Result Codes](#) [For Developers](#) [Disclaimer](#)
[Suggest an improvement for a chance at 10,000 free credits. How can we improve?](#)



40. Daniel's Law was passed to protect those who serve from the disclosure of this protected information by such services, which disclose such information of the Individual Plaintiffs and Covered Persons for their own commercial interests, without sufficient regard to the risks and consequences imposed on individuals.

JURISDICTION AND VENUE

41. This Court has jurisdiction because the parties reside and/or conduct business in New Jersey, along with the Covered Persons, and the unlawful actions complained of herein occurred in New Jersey.

42. Venue is proper pursuant to R. 4:3-2, in that Morris County is the county in which one or more of the parties and/or Covered Persons reside and/or conduct business. In addition, many of the events giving rise to this action occurred in this County.

FACTS COMMON TO ALL COUNTS

43. As set forth above, New Jersey enacted Daniel's Law in November 2020 (P.L. 2020, c. 125 *codified as* N.J.S.A. 47:1A-1, et seq. and N.J.S.A. 56:8-166.1).

44. Daniel's Law prohibits data brokers from disclosing or re-disclosing on the Internet or otherwise making available the home addresses or unpublished home telephone numbers of covered persons as defined in the law, upon a written request by those individuals.

45. Upon notification, and no later than 10 business days after receipt, a data broker must not disclose or re-disclose on the Internet or otherwise make available the home addresses or unpublished home telephone numbers of the covered person.

46. This includes a mandate that within 10 business days of receiving a nondisclosure request, the data broker shall not disclose the protected information of the covered person. Disclosure is defined to mean to "solicit, sell, manufacture, give, provide, lend, trade, mail, deliver,

transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise, or offer, and shall include making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed.”

47. Daniel’s Law was amended in 2023, as P.L. 2023, c. 113. The amendment was passed unanimously by the Assembly on May 25, 2023, by the Senate on June 20, 2023, and was thereafter signed by the Governor on July 20, 2023.

48. Certain provisions of the amended law, including changes to N.J.S.A. 56:8-166.1, went into effect immediately.

49. As of July 20, 2023, Daniel’s Law as codified in N.J.S.A. 56:8-166.1 provided:⁹

3.a. (1) Upon notification pursuant to paragraph (2) of this subsection, and not later than 10 business days following receipt thereof, a person, business, or association shall not disclose or redisclose on the Internet or otherwise make available, the home address or unpublished home telephone number of any covered person, as defined in subsection d. of this section.

b. A person, business, or association that violates subsection a. of this section shall be liable to the covered person, or the covered person’s assignee, who may bring a civil action in the Superior Court.

c. The court shall award:

(1) actual damages, but not less than liquidated damages computed at the rate of \$1,000 for each violation of this act;

(2) punitive damages upon proof of willful or reckless disregard of the law;

(3) reasonable attorney’s fees and other litigation costs reasonably incurred; and

(4) any other preliminary and equitable relief as the court determines to be appropriate.

d. For the purposes of this section:

...“Disclose” shall mean to solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise or offer, and shall include

⁹ <https://pub.njleg.state.nj.us/Bills/2022/PL23/113 .PDF>

making available or viewable within a searchable list or database, regardless of whether a search of such list or database is actually performed.”

50. Starting on or about December 21, 2023, each of the Individual Plaintiffs and all of the Covered Persons (who assigned claims to Atlas) sent Defendants written nondisclosure requests (via email) in accordance with Daniel’s Law, using AtlasMail.

51. For example, a true and correct copy of the email directly from Plaintiff Andreyev (with personal information redacted) is pasted here:

Data Subject Request - Redaction/nondisclosure Request

To consumerrequest@melissa.com
From Peter Andreyev <[REDACTED]@atlasmail.com>
Date Thu, Dec 21, 2023 10:50 AM

Melissa Data
December 21, 2023

To Whom It May Concern:

I am a "Covered Person" as defined by New Jersey law P.L. 2023, c.113, P.L.2021, c.371 (as amended, the "Act"). Pursuant to the Act and Section 3 of New Jersey P.L.2015, c.226 (C.56:8-166.1) (as amended), I hereby request that you not disclose or re-disclose on the Internet or otherwise make available, the following protected information:

Name: Peter Andreyev

Phone: [REDACTED]

Sincerely,
Peter Andreyev

52. Defendants failed to cease the disclosure or re-disclosure on the Internet or the otherwise making available of the protected information of the Individuals Plaintiffs and Covered Persons within the time period required by Daniel’s Law.

53. Even as of the date of this filing, Defendants still refuse to comply with Daniel’s Law. Protected information of the Individual Plaintiffs and those Covered Persons who assigned

Atlas their Daniel's Law claims against Defendants remains available from Defendants using Defendants' search tools or other means of disclosure.

54. All of the Covered Persons who sent their nondisclosure requests to Defendants (not including the Individual Plaintiffs) have assigned their claims against Defendants to Atlas.

55. The Individual Plaintiffs and Atlas hereby assert claims against Defendants based on their violation of Daniel's Law and continuing refusal to comply with that law.

COUNT ONE

(Daniel's Law)

56. The allegations of the Complaint set forth above are included herein as if set forth at length.

57. The Individual Plaintiffs and Covered Persons transmitted notice in writing to Defendants requesting that Defendants cease disclosure of their home address and/or unpublished home telephone number and cease its disclosure or re-disclosure on the Internet or wherever Defendants otherwise made it available.

58. Defendants had an obligation under Daniel's Law to comply with the request within ten (10) business days.

59. As of the date of this filing, Defendants still refuse to comply with Daniel's Law. The protected information (including home addresses and/or unpublished home telephone numbers) of the Individual Plaintiffs and the Covered Persons remains "available or viewable within a searchable list or database" or otherwise made available.

60. Defendants did not cease the disclosure or re-disclosure on the Internet or the otherwise making available of information as required under Daniel's Law, and their failure in doing so each constitute a separate violation under the law.

61. As a result of Defendants' failures to comply with Daniel's Law, Plaintiffs have suffered damages, and request all available relief.

62. As of the date of this filing, Defendants still refuse to comply with Daniel's Law. The protected information of the Individual Plaintiffs and the Covered Persons remains disclosed or otherwise made available despite proper requests for nondisclosure in violation of Daniel's Law. As such, Plaintiffs request that the Court enter all appropriate legal and equitable relief.

WHEREFORE, Plaintiffs request that Judgment be entered against Defendants as follows:

- A. Ordering that Defendants immediately comply with Daniel's Law, and cease the disclosure of the Individuals Plaintiffs' and the Covered Persons' names, home addresses, and unpublished home telephone numbers wherever disclosed or re-disclosed on the Internet or otherwise made available;
- B. Awarding actual damages, not less than liquidated damages under Daniel's Law, at "\$1,000 for each violation";
- C. Awarding an additional amount in punitive damages, to be determined by the Court, for "willful noncompliance" as allowed under Daniel's Law;
- D. Awarding reasonable attorneys' fees, interest (pre and post judgment) and litigation costs incurred;
- E. Ordering injunctive relief requiring that Defendants comply with Daniel's Law, and remove the Individual Plaintiffs' and the Covered Persons' protected information wherever disclosed;
- F. Entering equitable or other permanent injunctive relief requiring Defendants to comply with Daniel's law, including the appointment of a qualified independent expert to ensure that Defendants prospectively maintain compliance with Daniel's Law; and

G. Awarding such other and further relief against Defendants as the Court deems equitable and just.

Respectfully Submitted,

GENOVA BURNS LLC

Dated: February 6, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh
Kathleen Barnett Einhorn
494 Broad Street
Newark, New Jersey 07102
Tel: (973) 533-0777

Attorneys for Plaintiffs

**MORGAN & MORGAN COMPLEX
LITIGATION GROUP**

John A. Yanchunis
Ryan J. McGee
201 North Franklin Street, 7th Floor
Tampa, FL 33602
Tel.: (813) 223-5505
jyanchunis@ForThePeople.com
rmcgee@ForThePeople.com

(pro hac vice motions to be filed)

DESIGNATION OF TRIAL COUNSEL

The Court is advised that pursuant to New Jersey Court Rules 4:5-1(c) and 4:25-4, Rajiv D. Parikh, Esq. is hereby designated as trial counsel for Plaintiffs in this matter.

GENOVA BURNS LLC

Dated: February 6, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

CERTIFICATION PURSUANT TO RULE 4:5-1

Pursuant to R. 4:5-1, it is hereby stated that the matter in controversy between the parties hereto is not the subject of any other action pending in any other Court or of a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my knowledge and belief, no other action or arbitration proceeding between the parties hereto is contemplated. Further, other than the parties set forth in this pleading and the previous pleadings, if any, at the present time we know of no other parties that should be joined in the within action.

GENOVA BURNS LLC

Dated: February 6, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

CERTIFICATION PURSUANT TO RULE 1:38-7(b)

Pursuant to Rule 1:38-7(b), it is hereby stated that all confidential personal identifiers have been redacted from documents now submitted to the Court and will be redacted from all documents submitted in the future.

GENOVA BURNS LLC

Dated: February 6, 2024

By: /s/ Rajiv D. Parikh

Rajiv D. Parikh, Esq.

Civil Case Information Statement

Case Details: MORRIS | Civil Part Docket# L-000224-24

Case Caption: ATLAS DATA PRIVACY C ORPORATIO VS
MELISSA DATA C

Case Initiation Date: 02/06/2024

Attorney Name: RAJIV D PARIKH

Firm Name: GENOVA BURNS LLC

Address: 494 BROAD ST 6TH FL

NEWARK NJ 07102

Phone: 9735330777

Name of Party: PLAINTIFF : ATLAS DATA PRIVACY
CORPORATION

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: OTHER Daniel's Law

Document Type: Complaint

Jury Demand: NONE

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

**Do you anticipate adding any parties (arising out of same
transaction or occurrence)?** NO

Does this case involve claims related to COVID-19? NO

**Are sexual abuse claims alleged by: ATLAS DATA PRIVACY
CORPORATION?** NO

Are sexual abuse claims alleged by: JANE DOE 1? NO

Are sexual abuse claims alleged by: JANE DOE 2? NO

Are sexual abuse claims alleged by: EDWIN MALDONADO? NO

Are sexual abuse claims alleged by: JUSTYNA MALONEY? NO

Are sexual abuse claims alleged by: SCOTT MALONEY? NO

Are sexual abuse claims alleged by: PATRICK COLLIGAN? NO

Are sexual abuse claims alleged by: PETER ANDREYEV? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

**Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:**

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO
Medical Debt Claim? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule* 1:38-7(b)

02/06/2024

Dated

/s/ RAJIV D PARIKH

Signed

MORRIS COUNTY SUPERIOR COURT
PO BOX 910
MORRISTOWN NJ 07963

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (862) 397-5700
COURT HOURS 8:30 AM - 4:30 PM

DATE: FEBRUARY 07, 2024
RE: ATLAS DATA PRIVACY C ORPORATIO VS MELISSA DATA C
DOCKET: MRS L -000224 24

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 1.

DISCOVERY IS 150 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON MARCY M. MCMANN

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
AT: (862) 397-5700 EXT 75351.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: RAJIV D. PARIKH
GENOVA BURNS LLC
494 BROAD ST 6TH FL
NEWARK NJ 07102

ECOURTS

Civil Case Information Statement

Case Details: MORRIS | Civil Part Docket# L-000224-24

Case Caption: ATLAS DATA PRIVACY C ORPORATIO VS
MELISSA DATA C

Case Initiation Date: 02/06/2024

Attorney Name: RAJIV D PARIKH

Firm Name: GENOVA BURNS LLC

Address: 494 BROAD ST 6TH FL

NEWARK NJ 07102

Phone: 9735330777

Name of Party: PLAINTIFF : ATLAS DATA PRIVACY
CORPORATION

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: OTHER Daniel's Law

Document Type: Complaint

Jury Demand: NONE

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

**Do you anticipate adding any parties (arising out of same
transaction or occurrence)?** NO

Does this case involve claims related to COVID-19? NO

**Are sexual abuse claims alleged by: ATLAS DATA PRIVACY
CORPORATION?** NO

Are sexual abuse claims alleged by: JANE DOE 1? NO

Are sexual abuse claims alleged by: JANE DOE 2? NO

Are sexual abuse claims alleged by: EDWIN MALDONADO? NO

Are sexual abuse claims alleged by: JUSTYNA MALONEY? NO

Are sexual abuse claims alleged by: SCOTT MALONEY? NO

Are sexual abuse claims alleged by: PATRICK COLLIGAN? NO

Are sexual abuse claims alleged by: PETER ANDREYEV? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

**Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:**

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO
Medical Debt Claim? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule* 1:38-7(b)

02/06/2024

Dated

/s/ RAJIV D PARIKH

Signed

Michael P. O'Mullan | Attorney ID 029681996
RIKER DANZIG LLP
Headquarters Plaza
One Speedwell Avenue
Morristown, NJ 07962-1981
(973) 538-0800
Attorneys for Defendant,
Melissa Data Corporation

ATLAS DATA PRIVACY CORPORATION,
*as assignee of individuals who are Covered
Persons*, JANE DOE-1, *a law enforcement
officer*, JANE DOE-2, *a law enforcement
officer*, EDWIN MALDONADO, SCOTT
MALONEY, JUSTYNA MALONEY,
PATRICK COLLIGAN, and PETER
ANDREYEV,

Plaintiffs,

vs.

MELISSA DATA CORP, RICHARD
ROES 1-10, *fictitious names of unknown
individuals* and ABC COMPANIES 1-10,
fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MORRIS COUNTY
DOCKET NO. MRS-L-000224-24

Civil Action

NOTICE OF APPEARANCE

To the Clerk of this Court and all parties of record:

Please enter my appearance in the above-captioned case as attorney of record for Defendant Melissa Data Corporation. I kindly request receipt of all electronic notifications in this matter.

I certify that I am admitted to practice in this Court.

Dated: March 26, 2024

RIKER DANZIG, LLP
Attorneys for Defendants,
Melissa Data Corporation

By: /s/ Michael P. O'Mullan
Michael P. O'Mullan

Michael P. O'Mullan | Attorney ID 029681996
RIKER DANZIG LLP
Headquarters Plaza
One Speedwell Avenue
Morristown, NJ 07962-1981
(973) 538-0800
Attorneys for Defendant,
Melissa Data Corporation

ATLAS DATA PRIVACY CORPORATION,
*as assignee of individuals who are Covered
Persons*, JANE DOE-1, *a law enforcement
officer*, JANE DOE-2, *a law enforcement
officer*, EDWIN MALDONADO, SCOTT
MALONEY, JUSTYNA MALONEY,
PATRICK COLLIGAN, and PETER
ANDREYEV,

Plaintiffs,

vs.

MELISSA DATA CORP, RICHARD
ROES 1-10, *fictitious names of unknown
individuals* and ABC COMPANIES 1-10,
fictitious names of unknown entities,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MORRIS COUNTY
DOCKET NO. MRS-L-000224-24

Civil Action

**STIPULATION EXTENDING TIME TO
FILE A RESPONSIVE PLEADING**

It is hereby stipulated and agreed by Plaintiff that the time within which Defendant Melissa Data Corporation may file a responsive pleading is extended to April 24, 2024, pursuant to Rule 4:6-1(c).

Dated: 3/26/24

By: /s/ Rajiv D. Parikh
Rajiv D. Parikh
Attorney for Plaintiff

Dated: 3/27/24

By: /s/ Michael P. O'Mullan
Michael P. O'Mullan
Attorney for Defendant

Exhibit C

Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "ATLAS DATA PRIVACY CORPORATION" IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTIETH DAY OF MARCH, A.D. 2024.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE BEEN FILED TO DATE.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "ATLAS DATA PRIVACY CORPORATION" WAS INCORPORATED ON THE TWENTY-SEVENTH DAY OF APRIL, A.D. 2021.

AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.



A handwritten signature in black ink, appearing to read "JBULLOCK", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed in a small font.

5874663 8300

SR# 20241094633

You may verify this certificate online at corp.delaware.gov/authver.shtml

Authentication: 203073511

Date: 03-20-24

**STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES
LONG FORM STANDING WITH OFFICERS AND DIRECTORS**

ATLAS DATA PRIVACY CORPORATION
0451071286

I, the Treasurer of the State of New Jersey, do hereby certify that the above-named Delaware Foreign For-Profit Corporation was registered by this office on January 12, 2024.

As of the date of this certificate, said business continues as an active business in good standing in the State of New Jersey, and its Annual Reports are current.

I further certify that the registered agent and office are:

REGISTERED AGENTS INC.
FIVE GREENTREE CENTRE, 525 ROUTE 73
STE 104
MARLTON, NJ 08053

I further certify that as of the date of this certificate, no officers or directors were on file for this business.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at Trenton, this 19th day of March, 2024

A handwritten signature in black ink, appearing to read "Elizabeth Maher Muoio".

Elizabeth Maher Muoio
State Treasurer

Certificate Number : 6151863982

Verify this certificate online at

https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp

Exhibit F"

Client_Stat	Client_active_dat	Client_tern	Client_com	Client_ef	Agent_Nar	Firm_Id	Firm_Name	Agent_Stat
A	4/11/2023				Parikh, Raj	1557	Genova Bu	A

Active_Date	Badge_Nur	agent_tern	Agent_eff_	Effective_C	Firm_Addr	Phone_Nur	Phone_Nur	Client_Nan
4/12/2018	1557-7				494 Broad St		,Newark,NJ 07102	Atlas Privat

City	State	Zip	firm_fullname
Newark	NJ	7102	Genova Burns LLC 494 Broad St Newark,NJ 07102

Exhibit G



**ANNUAL REPORT
OF
GOVERNMENTAL AFFAIRS AGENT**

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

P.O. Box 185, Trenton, NJ 08625-0185
Phone: (609) 292-8700
Website: www.elec.nj.gov

FORM L1-A

Reporting For Calendar Year 2023

ELEC Received

Feb 14 2024
03:36 PM

FOR STATE USE ONLY

Amendment ☐

Name of Governmental Affairs Agent or Governmental Affairs Agent Firm:

Genova Burns LLC

Business Address 494 Broad Street

City Newark State NJ Zip Code 07102

*(Area Code) Telephone Number 973-533-0777

1. Provide the following information regarding the Governmental Affairs Agent(s) on whose behalf this report is filed.

1. Name Angelo J. Genova

Badge Number 1557-1 Occupation or Business Attorney

Business Address 494 Broad Street

City Newark State NJ Zip Code 07102

*(Area Code) Telephone Number 973-533-0777

2. Name Nicholas R. Amato

Badge Number 1557-5 Occupation or Business Attorney

Business Address 494 Broad Street

City Newark State NJ Zip Code 07102

*(Area Code) Telephone Number 973-533-0777

3. Name Rajiv D. Parikh

Badge Number 1557-7 Occupation or Business Attorney

Business Address 494 Broad Street

City Newark State NJ Zip Code 07102

*(Area Code) Telephone Number 973-533-0777

4. Name Avi D. Kelin

Badge Number 1557-8 Occupation or Business Attorney

Business Address 494 Broad Street

City Newark State NJ Zip Code 07102

*(Area Code) Telephone Number 973-533-0777

5. Name William F. Megna

Badge Number 1557-9 Occupation or Business Attorney

Business Address 494 Broad Street

City Newark State NJ Zip Code 07102

*(Area Code) Telephone Number 973-533-0777

*Leave this field blank if your telephone number is unlisted. Pursuant to N.J.S.A. 47:1A-1.1, an unlisted telephone number is not a public record and must not be provided on this form.

2. Provide the following information concerning all Represented Entities.

NOTE: Represented Entities who designate this report to include all of their activity must file Form L-2.

RECEIPT AMOUNT**PURPOSE:** To report all fees, retainers, allowances, reimbursement of expenses, or other compensation received from Represented Entities for the purpose of influencing legislation, regulations, governmental processes, or communicating with the general public.**NOTE:** Report only the pro rata share of each receipt which is related to influencing legislation, regulations, governmental processes, or communicating with the general public.1. Name of Represented Entity Scientific Games CorpBusiness Address 6650 S. El Camino RoadCity Las Vegas State NV Zip Code 89118**RECEIPT AMOUNT****0.00**Type of Business Gaming Services

- ☐ Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.
- ☒ Check if the Represented Entity is designating this report to indicate all of their activity.

2. Name of Represented Entity New Meadowlands Racetrack LLCBusiness Address 1 Racetrack DriveCity East Rutherford State NJ Zip Code 07073**RECEIPT AMOUNT****0.00**Type of Business Racetrack Operator

- ☐ Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.
- ☒ Check if the Represented Entity is designating this report to indicate all of their activity.

3. Name of Represented Entity 14-16 Burma Road Industrial LLC dba SAK Structures LLCBusiness Address 14 Burma RoadCity Jersey City State NJ Zip Code 07305**RECEIPT AMOUNT****0.00**Type of Business Real Estate

- ☐ Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.
- ☒ Check if the Represented Entity is designating this report to indicate all of their activity.

4. Name of Represented Entity BioReference Laboratories, Inc.Business Address 481 Edward H. Ross DriveCity Elmwood Park State NJ Zip Code 07407**RECEIPT AMOUNT****22,490.00**Type of Business Laboratory Services

- ☐ Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.
- ☐ Check if the Represented Entity is designating this report to indicate all of their activity.

5.	Name of Represented Entity	Atlantic Amateur Hockey Association	
	Business Address	PO Box 291	
	City	Ho Ho Kus	State <u>NJ</u> Zip Code <u>07423</u>
	Type of Business	Amateur Hockey Association	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> RECEIPT AMOUNT 0.00 </div>
<input type="checkbox"/>	Check if communication with the general public ("Grassroots Lobbying") was the only lobbying activity for this entity.		
<input type="checkbox"/>	Check if the Represented Entity is designating this report to indicate all of their activity.		
6.	Name of Represented Entity	Association Master Trust	
	Business Address	636 Morris Turnpike, Ste. 2A	
	City	Short Hills	State <u>NJ</u> Zip Code <u>07078</u>
	Type of Business	self-funded multiple employer welfare arrangement	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> RECEIPT AMOUNT 0.00 </div>
<input type="checkbox"/>	Check if communication with the general public ("Grassroots Lobbying") was the only lobbying activity for this entity.		
<input checked="" type="checkbox"/>	Check if the Represented Entity is designating this report to indicate all of their activity.		
7.	Name of Represented Entity	New Jersey Restaurant and Hospitality Association	
	Business Address	126 West State Street	
	City	Trenton	State <u>NJ</u> Zip Code <u>08608</u>
	Type of Business	Trade Association for Restaurant and Hospitality Industry	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> RECEIPT AMOUNT 0.00 </div>
<input type="checkbox"/>	Check if communication with the general public ("Grassroots Lobbying") was the only lobbying activity for this entity.		
<input type="checkbox"/>	Check if the Represented Entity is designating this report to indicate all of their activity.		
8.	Name of Represented Entity	SB Hoboken Propco, LLC	
	Business Address	175 Belgrove Drive	
	City	Kearny	State <u>NJ</u> Zip Code <u>07032</u>
	Type of Business	Real Estate	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> RECEIPT AMOUNT 0.00 </div>
<input type="checkbox"/>	Check if communication with the general public ("Grassroots Lobbying") was the only lobbying activity for this entity.		
<input checked="" type="checkbox"/>	Check if the Represented Entity is designating this report to indicate all of their activity.		
9.	Name of Represented Entity	EDP Soccer	
	Business Address	8 Cornwall Court	
	City	East Brunswick	State <u>NJ</u> Zip Code <u>08816</u>
	Type of Business	Youth Soccer	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> RECEIPT AMOUNT 0.00 </div>
<input type="checkbox"/>	Check if communication with the general public ("Grassroots Lobbying") was the only lobbying activity for this entity.		
<input checked="" type="checkbox"/>	Check if the Represented Entity is designating this report to indicate all of their activity.		

10. Name of Represented Entity State Fair GroupBusiness Address 331 Newman Springs RoadCity Red Bank State NJ Zip Code 07701

RECEIPT AMOUNT

850.00

Type of Business Operation of Amusement Park☐ Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.☐ Check if the Represented Entity is designating this report to indicate all of their activity.11. Name of Represented Entity Parkway Autonomous Inc.Business Address 146 Wolcott StreetCity Brooklyn State NY Zip Code 11231

RECEIPT AMOUNT

0.00

Type of Business Transportation☐ Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.☒ Check if the Represented Entity is designating this report to indicate all of their activity.12. Name of Represented Entity New Jersey Democratic State CommitteeBusiness Address 142 W State StreetCity Trenton State NJ Zip Code 08608

RECEIPT AMOUNT

6,765.00

Type of Business Political Party☐ Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.☐ Check if the Represented Entity is designating this report to indicate all of their activity.13. Name of Represented Entity Atlas PrivacyBusiness Address 2810 N Church Street, Unit 72500City Wilmington State DE Zip Code 19802

RECEIPT AMOUNT

0.00

Type of Business Data Privacy☐ Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.☐ Check if the Represented Entity is designating this report to indicate all of their activity.14. Name of Represented Entity CEP RenewablesBusiness Address 331 Newman Springs RoadCity Red Bank State NJ Zip Code 07701

RECEIPT AMOUNT

0.00

Type of Business Solar Developer☐ Check if communication with the general public ("Grassroots Lobbying") was the **only** lobbying activity for this entity.☐ Check if the Represented Entity is designating this report to indicate all of their activity.

SCHEDULE A

1. Provide the following information for any Governmental Affairs Agent named in this Annual Report who served as a member of:

- any independent State authority;
- any county improvement authority;
- any municipal utilities authority;
- any inter-State or bi-State authority as a member from New Jersey; or,
- any board or commission established by statute or resolution, or by executive order of the Governor, or by the Legislature, or by any Agency, Department or other instrumentality of the State.

(If this question does not apply, move on to question 2.)

Name of Governmental Affairs Agent _____

Name of Authority, Board, or Commission _____

Date When Term of Service Expires _____

Name of Governmental Affairs Agent _____

Name of Authority, Board, or Commission _____

Date When Term of Service Expires _____

Name of Governmental Affairs Agent _____

Name of Authority, Board, or Commission _____

Date When Term of Service Expires _____

Name of Governmental Affairs Agent _____

Name of Authority, Board, or Commission _____

Date When Term of Service Expires _____

2. Did all Governmental Affairs Agent(s) named in this Annual Report file all Notices of Representation and Quarterly Reports required during the calendar year covered by this Annual Report?



Yes If "yes," continue on to Schedule B.



No If "no," please file the necessary reports immediately.

SCHEDULE B - SALARY & COMPENSATION

PURPOSE: To report the salary and compensation paid to the Governmental Affairs Agents on whose behalf this report is filed. Include the reimbursement of an Agent's expenses in amounts reported.

NOTE: Only the pro rata share of each Governmental Affairs Agent's salary and compensation need to be included if the Agent spends only a portion of his/her time on lobbying activity.

NAME OF GOVERNMENTAL AFFAIRS AGENT**AMOUNT**

Angelo J. Genova	\$ 12,095.00
Nicholas R. Amato	\$ 0.00
Rajiv D. Parikh	\$ 6,765.00
Avi D. Kelin	\$ 11,245.00
William F. Megna	\$ 0.00

SCHEDULE B TOTAL \$ 30,105.00

SCHEDULE C - SUPPORT PERSONNEL

PURPOSE: To report the costs of support personnel who, over the course of the reporting year, individually spend 450 or more hours supporting the activities of the Governmental Affairs Agent(s).

After determining to which person(s) this applies, report the pro rata share of those costs which are attributable to supporting the activities of the Governmental Affairs Agent(s) in influencing legislation, regulations, governmental processes, or communicating with the general public.

SCHEDULE C TOTAL \$ 0.00

NO SCHEDULE D FOR GOVERNMENTAL AFFAIRS AGENTS

SCHEDULE E - COMMUNICATION EXPENSES

PURPOSE: To report the costs of the preparation and distribution of materials related to influencing legislation, regulations, governmental processes, and conducting communications with the general public.

EXPENSE	AMOUNT
Printed Materials	\$ 0.00
Postage	0.00
Film, Slides, Video, Audio	0.00
TV - Network	0.00
TV - Cable	0.00
Radio	0.00
Other Broadcast Medium	0.00
Internet	0.00
Telephone, Facsimile	0.00

Pro Rata Overhead Costs of Specific Events Over \$100 (*please identify name and date of event*)

Other (*please describe*):

SCHEDULE E TOTAL \$ 0.00

SCHEDULE F - TRAVEL/LODGING

PURPOSE: To report the travel and lodging costs of the Governmental Affairs Agents on whose behalf this report is filed related to influencing legislation, regulations, governmental processes, or communicating with the general public.

NAME OF GOVERNMENTAL AFFAIRS AGENT	AMOUNT
	\$ 0.00
	\$
	\$
	\$
	\$
	\$

SCHEDULE F TOTAL \$ 0.00

SCHEDULE G-1**ITEMIZATION OF BENEFITS WHICH EXCEEDED \$25 PER DAY OR \$200 PER CALENDAR YEAR TO STATE OFFICIALS AND THEIR IMMEDIATE FAMILY MEMBERS**

PURPOSE: To report detailed information concerning benefits passed to State officials covered by the Act, as well as the immediate family members of these officials. If the value of a benefit exceeded \$25 per day or \$200 per calendar year, report below.

(Select one description item for each entry from the drop down list. When selecting "O - Other", enter a description in the space provided.)

Name of Benefit Recipient _____

Date _____ Description _____ Amount \$ **0.00**

Name and Address of Payee/Vendor

Name _____

Address _____

City _____ State _____ Zip Code _____

If benefit was reimbursed, please report the date, the description, and the amount of the reimbursement.

Date _____ Amount \$ _____

Description _____

Name of Benefit Recipient _____

Date _____ Description _____ Amount \$ _____

Name and Address of Payee/Vendor

Name _____

Address _____

City _____ State _____ Zip Code _____

If benefit was reimbursed, please report the date, the description, and the amount of the reimbursement.

Date _____ Amount \$ _____

Description _____

Name of Benefit Recipient _____

Date _____ Description _____ Amount \$ _____

Name and Address of Payee/Vendor

Name _____

Address _____

City _____ State _____ Zip Code _____

If benefit was reimbursed, please report the date, the description, and the amount of the reimbursement.

Date _____ Amount \$ _____

Description _____

Name of Benefit Recipient _____

Date _____ Description _____ Amount \$ _____

Name and Address of Payee/Vendor

Name _____

Address _____

City _____ State _____ Zip Code _____

If benefit was reimbursed, please report the date, the description, and the amount of the reimbursement.

Date _____ Amount \$ _____

Description _____

SUMMARY OF BENEFIT PASSING**PURPOSE:** To report the total amount of providing benefits to State officials covered by the Act and their immediate family members.

	SCHEDULE G-1	SCHEDULE G-2*	AMOUNT
Entertainment	\$ _____	+ \$ 0.00	= \$ 0.00
Food and Beverage	_____	+ 0.00	= 0.00
Travel	_____	+ 0.00	= 0.00
Lodging	_____	+ 0.00	= 0.00
Honoraria	_____	+ 0.00	= 0.00
Loans	_____	+ 0.00	= 0.00
Gifts	_____	+ 0.00	= 0.00
Other (specify) _____	_____	+ 0.00	= 0.00
Total	\$ _____	+ \$ 0.00	= \$ 0.00

**SCHEDULE G-1 AND
SCHEDULE G-2 TOTAL**

* Enter, by category, the value of benefit passing where the expenditure did NOT exceed the \$25/day or \$200/calendar year thresholds.

**TOTAL AMOUNT OF REIMBURSED BENEFITS, IF ANY.
DO NOT DEDUCT THIS AMOUNT FROM BENEFIT PASSING AMOUNTS.**

\$ _____

SUMMARY OF LOBBYING EXPENDITURES**EXPENDITURES**

1. Salary and Compensation	Schedule B Total	\$ 30,105.00
2. Support Personnel	Schedule C Total	0.00
3. Communication Expenses	Schedule E Total	0.00
4. Travel and Lodging	Schedule F Total	0.00
5. Benefit Passing	Schedule G-1 and Schedule G-2 Total	0.00
Total Lobbying Expenditures		\$ 30,105.00

SUMMARY OF TOTAL RECEIPTS FROM REPRESENTED ENTITIES \$ 30,105.00

CERTIFICATION

This certification shall be signed by either the Governmental Affairs Agent filing this Annual Report on his/her own behalf, or by the Managing or Principal Partner or Chief Executive Officer of the Governmental Affairs Agent Firm.

I, Angelo Genova

(enter name)

hereby certify that I am duly authorized by

Genova Burns LLC

(enter name of firm)

to file and certify the accuracy and correctness of this Annual Report of Lobbying Activity for calendar year 2023.
I certify that the statements made herein are true and accurate. I am aware that if any of the foregoing statements are willfully false, I may be subject to punishment.

Registration Number *****

PIN

Verify Registration
Number & PIN

ANGELO J GENOVA

Signature

February 14, 2024

Date

* Your name must appear on the signature line *